A GIFT TO THE HUSBAND AND WIFE



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CHAPTER 1

A few Ahadith on the rights of both spouses

Hakeem bin Muaawiyah *Radhiallahu Anhu* narrates from his father that he asked Rasulullah Sallallahu Alayhi Wasallam about the rights of wives against their husbands. He replied: "(1) When you eat, feed her as well, (2) when you clothe yourself, clothe her as well, (3) don't hit her on the face. (In other words, don't hit her in spite of it being her fault. Beating without any valid reason is obviously not permitted on any part of her body.) (4) Don't curse her, and (5) don't sever relationship with her except within the house. (In other words, don't leave the house if you happen to be displeased with her nor abandon her out of the home.) [Abu Dawood]

Hadhrat Abdullah bin Zamah Radhiallahu Anhu narrates that Rasulullah Sallallahu Alayhi Wasallam said: "None of you should beat his wife as though he is beating his slave, then at the end of the day he has intercourse with her!"
(Bukhari, Muslim, Tirmizi)

Hadhrat Abu Hurayrah Radhiallahu Anhu narrates that Rasulullah Sallallahu Alayhi Wasallam said: "I advise you to maintain a favourable relationship with your women. Accept this advice from me because women were created from a crooked rib. If you endeavour to straighten her, you will break her and breaking her is divorcing her and if you leave her as she is, she will always remain crooked. Therefore, accept this good advice in favour of them. (Bukhari, Muslim, Tirmizi)

Note: Straightening her means endeavouring to ensure that there remains nothing in her which you dislike. You will be unsuccessful in this endeavour. If you continue bearing down upon her all the time, it will eventually lead to divorce. Hence,

you should overlook her trivial faults. Also, at times excessive harshness and negligence can bring about non-Deeni shaytaani thoughts within her heart.

Hadhrat Umme Salmah Radhiallahu Anhaa narrates that she and Hadhrat Maymoonah Radhiallahu Anhaa were seated by Rasulullah Sallallahu Alayhi Wasallam when Hadhrat Abdullah ibne Umme Maktoom (a blind Sahaabi) Radhiallahu Anhu appeared. Rasulullah Sallallahu Alayhi Wasallam said: "Observe Hijaab (Pardah) from him." We remarked: "He is blind, he is unable to see us." Rasulullah Sallallahu Alayhi Wasallam replied: "Are you two blind as well? Won't you be able to see him?" (Tirmizi, Abu Dawood)

Note: It is also a right in favour of women that they should be made to observe such strict Purdah from Ghair *Mahr*ams (men whom they can marry) that both parties are unable to see one another. In the observance of Purdah lies the protection of the wife's Deen since she will be protected from the evils of exposure and immodesty. In it lies her worldly benefit as well. Experience bears testimony to the fact that the more exclusive something is, the greater one's relationship with it will be. The exclusivity the husband enjoys when his wife observes Purdah is quite obvious. Hence, he will ultimately enjoy a better relationship with her and also fulfil her rights fully. So in the observance of Hijaab (Purdah) lies great worldly benefit for the wife as well.

Hadhrat Abu Hurayrah Radhiallahu Anhu narrates that Rasulullah Sallallahu Alayhi Wasallam said: "If I had to command anyone to prostrate before another human being, I would have commanded the wife to prostrate before her husband." (Tirmizi)

Hadhrat Ibne Abu Awfaa Radhiallahu Anhu narrates that Rasulullah Sallallahu Alayhi Wasallam said: "I swear by that

being in whose power lies Muhammad's life! A woman will not be fulfilling her lord's rights until and unless she does not fulfil her husband's rights." (Ibne Majah)
Note: In othe: words, the mere performance of divine rituals such as Salaah, Saum etc. should not mislead a woman into believing that she has fulfilled the rights of Allah Ta'ala. Those rights will be considered unfulfilled until and unless she does not fulfil the rights of her husband because fulfilment of the husband's rights is also commanded by Allah Ta'ala.

Hadhrat Abu Hurayrah Radhiallahu Anhu narrates that Rasulullah Sallallahu Alayhi Wasallam was asked: "What type of woman is the best wife?" He replied: "Such a woman that when her husband looks at her, he is pleased with her; when he commands her, she obeys and she does not do anything in regards to herself or her wealth which will displease her husband." (Nasai)

Note: There are tremendous benefits in staying cheerful, obedient and in agreement with her husband. There are tremendous Deeni as well as worldly benefits in this as well. These benefits will be acquired if there is love between the husband and wife and this love is engendered only if both spouses fulfil each other's rights. They are commanded to fulfil each other's rights or else they will be sinful. (Hayaatul Muslimeen Page 189 - 191)

CHAPTER 2

The importance of staying separately after marriage

* If possible, it is definitely not appropriate for one to live with one's parents together with his wife. There are many detriments in this which one will only realize later on in life. (Husnul Azeez volume 2 page 370)

* The best plan of action to protect oneself from domestic feuds etc. is to abstain from living together with all the family members. The residing of a few women under one roof is one of the main causes of disorder and other problems. (Malfoozaate Ashrafiyyah page 27)

* There were always problems and domestic feuds at a certain friend's house in which all the members of the family were living together. I advised him to separate because living together breeds a lot of problems. However, I requested him not to mention who advised him thus. There was a tumultuous uproar at home when they heard of this. However, when his mother learnt that this is his opinion, she remained silent. They all eventually separated and he also separated each person's monthly allowance and expenses as well. Now they are living in ease and happiness and there are no problems of family feuds and quarrels etc. (Malfoozaat Page 141)

In these times, it is most appropriate for the young children to live on their own the moment they get married. This system ensures the ease and comfort of both parties. I witnessed a household in Meeruth which was always engaged in domestic quarrels and feuds. One of the men of that household had a (spiritual) relationship with me. He once wrote to me complaining about the domestic problems he was experiencing. I advised him to take up another house on rent and live on his

own. He did accordingly and since then he is living in peace and tranquillity. My opinion is that the moment the son marries, he should live separately from his parents. This is most appropriate and beneficial. (Huqooqul-Bayt Page 28)

A *Taweez* to make the daughter-in-law submissive

A person came to Hadhrat Thanwi Rahmatullahi Alayhi requesting a Taweez to render his daughter-in-law obedient and submissive. Hadhrat advised him: "The only Taweez that will work for her is to make her and your son live on their own. This will make her totally obedient."

The women of this era (the era of Hadhrat Thanwi during the 1930's) love their freedom and independence. Their greatest concern after the Nikah is to separate from their parents-in-law. A few rands of their husbands is more desirable and appealing to them than thousands belonging to their in-laws. A woman prefers living a life of hunger and poverty in her husband's house than staying in the luxury and wealth of her father-in-law's houses. Such anxieties eventually breed domestic feuds. (Da'waate-Abdiyyat volume 14 page 82)

A Hindu complained to Hadhrat Thanwi Rahmatullahi Alayhi that his daughter-in-law was harassing him and his own son was also making life a misery for him. Hadhrat replied: "The only remedy for this is that you should separate them. You live on your own and they live on their own." (Husnul-Azeez volume 2 page 359)

Not to stay on one's own for fear of dishonour

Some people refuse to separate from their parents out of fear of "ceremonial" disgrace. They prefer living with them and

enduring all the hardships. So they are unable to achieve both honour as well as tranquillity but tranquillity is more important than honour. Therefore, one should live separately after one is married. Whatever the outcome, from his earnings he may serve his parents separately. (Da'waate-Abdiyyat volume 14 page 83)

If the parents refuse to allow the son to live separately

(A question to Hadhrat Thanwi and his reply)

Question

Hadhrat once mentioned in one of his lectures that if the wife prefers to live separately from her in laws, it is Waajib (obligatory) to fulfil this desire. However, the Holy Quran commands us to obey the parents in all matters except Shirk (polytheism). Hence, it is Fardh to obey them. If the parents command the son to live with them after his marriage, and the wife demands separate accommodation, either in the same house or in another house, what should he do? What is the Shari ruling in this matter? Should he fulfil the Fardh or the Wajib? Please explain in detail.

Answer

Assalamualykum Warahmatullahi Wabarakaatuhu

Obedience to parents will not apply when it comes to omitting other Shari obligations. Fulfilment of this right (i.e. separate accommodation) is Wajib (obligatory). Hence, if the parents command the husband to abandon this right of his wife, he is not obliged to adhere to their whims. This is confirmed by a Hadith which warns: "The creation will not be obeyed when the Creator is ultimately being disobeyed." It is Waajib (obligatory) on the husband to provide separate accommodation for his wife if she

requests so. Omission of a Waajib (compulsion) is a sin. Hence, if the parents command him to perpetrate such a sin (in the form of omitting a Waajib), their command will not be adhered to. (Imdaadul Fataawa)

A Fatwa on providing separate accommodation

A person wrote to Hadhrat Thanwi:
Due to domestic problems, I have provided separate accommodation for my wife for the last two years. However, due to an increase in expenses, I am unable to financially serve my parents as much as I used to. This seems to be upsetting them a great deal. Due to limited financial resources, it has always been my parents desire for all of us to live together. Please advise me on this matter.
Hadhrat replied:
"*Assalamualaykum Warahmatullahi Wabarakaatuhu*
A wife has the right to live separately from her parents-in-law. If she requests for this right, it is Waajib upon the husband to fulfil it. Forsaking a Waajib is a sin and it is not obligatory to obey anyone in sinful matters. Hence, don't change anything. Leave everything as it stands." (Imdaadul Fataawa)

Providing separate accommodation for the wife, a Shari ruling

Provision of maintenance to the wife is Waajib. Providing separate accommodation for her also forms part of this maintenance. Many people are under the false notion that it is not compulsory to provide separate accommodation for the wife. They compel her to stay with their own families. If she is happy to stay with them, then fine. However, if she prefers staying

alone, the husband is compelled to provide separate accommodation for her. Happiness in this context refers to the happiness and pleasure from deep within her heart. If the husband is convinced somehow or the other that she wishes to live separately but she does not express this wish verbally, then too it is not permissible for him to keep her together with the in-laws. (Islaahe-Inqilaab volume 2 page 187)

A woman is not compelled to serve her mother-in-law

Some people consider it their great fortune to keep their wives subjected to their mothers. To achieve this end, she is subjected to various forms of cruelty and hardship. Remember well! A woman is not compelled to serve her mother-in-law. If you are noble, serve her yourself or employ a servant to serve her. (Islaahe-Inqilaab volume 2 page 188)
In my opinion, the women are (judicially) not compelled to prepare meals. I substantiate this from the verse: "And from amongst His (Allah's) signs is that He had created for you wives from amongst you, so that you may gain tranquillity from them." In other words, women were created for your tranquillity and so that your heart can be at ease. Women are there to delight and cheer us, not to cook for us. (Huqooquz-Zawjayn page 155)

The meaning of separate accommodation and its simple procedure

If you are unable to provide a separate house altogether, at least provide her with a separate room in a big house. This room should be sufficient to meet her basic needs and she must be able to keep her personal effects in this room under lock and key. The room must allow her such privacy that she is freely

able to converse and spend time with her husband. This is sufficient to fulfil the requirements of her Waajib right. Her stove (kitchen or cooking area) should definitely be separate. In most cases, the fire (of dispute and feuds) commence from this very stove. (Islaahe-Inqilaab page 187-188)

Preventing the son and his wife living separately is unjust and cruel

Another act of cruelty upon the wife in which many so called "pious" people are also involved is that they don't provide separate accommodation for their wives in spite of them demanding this right. People maintain that if she leaves, the house will lose its credibility. Old ladies normally cherish such notions. Remember, nobody is to be obeyed if Allah Ta'ala is being disobeyed in the process.

If the wife wishes to live separately, she has all the right to do so. And it is also necessary. In fact, in these times it is most appropriate to live separately. Living together engenders many problems. These old women tend to harass their daughters-in-law a great deal. It sounds rather ironical that if the son is more inclined towards his wife, they suffer pangs of jealousy and if he is disinclined towards her, the same women will go out in search of Taweezes etc. One will be saved from all these complications if he lives separately.

On the other hand, if you assert that nowadays the daughters-in-law are very immoral and wicked, they are always quarrelling with their mothers-in-law and harassing them, to remedy such a situation, I would also advise that they should all live separately. In short, in living separately guarantees tranquillity to both parties (the mother-in-law as well as the daughter-in-law). (Irshaadaat Hakeemul-Ummat page 479)

The excesses of some daughters-in-law

Some women tend to separate their husbands from their parents the moment they step foot into their homes after the Nikah. Although it is most appropriate for the son to live separately after his marriage, there is also a way of doing it. It has to be carried out in a suitable manner. What right does she have to separate in an ill-mannered and uncouth way? (Huqooqul-Bayt page 48)

It is better to live separately even if she is happy to live together

Nowadays, the temperaments and incidents demand that even if the wife wishes to live together with her in-laws and all the relatives will also be disheartened if she lives separately, then too it is more prudent to live separately. This will put a stop to endless problems and difficulties. Although the relatives will be furious with this setup for a few days, when they themselves will observe its benefits, they will all be pleased. The stove (kitchen or cooking area) should most definitely be separate because the fire (of domestic feuds) most often starts from this very stove. (Islaahe Inqilaab volume 2 page 188)

Compelling the second wife to live with the children of the first

The Fuqahaa (jurists) have went up to the extent of saying that if a man has children from the first wife, he is not permitted to compel the second wife to live with them. The incidents that we hear of nowadays regarding the second wife living with the children of the first also prove that this is a root of many

problems. Living with other relatives will not engender as many problems as such a situation will engender. (Islaahe Inqilaab volume 2 page 188)

An incident of Hadhrat Thanwi Rahimahullah - a splendid paragon

Hadhrat Thanwi narrates: "The moment I got married, my father made me live on my own. Living separately has also been a custom in our family. My father provided a house as well as expenses for the house. I felt very ashamed (to take from him). I was concerned about getting a job. With due gratitude unto Allah Ta'ala, that also got sorted out (in Kanpur). A sum of 25 Rupees was fixed as a monthly income. I was under the impression that it is a very large sum and a wage of 10 Rupees should suffice. I remained alone for a few days. Then I called the family over (to Kanpur) as well. Experience proved to me that the sum of 25 Rupees was not after all surplus. The entire sum used to be spent.

From home, she was always requesting me to build a separate house. I continued averting and putting it off by advising her that we are to live in this world for a short while only. Why build a house? When I went for Haj, she also followed later on. She complained to Haji Saheb Rahmatullahi Alayhi (a reference to Haji Imdaadullah Saheb, the Shaikh of Hadhrat Thanwi) that she asked me to build a house and I am refusing to do so. Haji Saheb said to me: "Your wife is asking you to build a separate house for her. Is there any problem with that? This is quite appropriate as one is more comfortable in one's own house." I thought to my self that the wife devised a very convincing plan to build a house. I finally told Haji Saheb: "Very well. The house will be built." On our return (to India) the house was built

and I also wrote to Haji Saheb about it. He replied: "May your house be Mubarak (blessed)."

Hadhrat Thanwi Rahmatullahi Alayhi says: "After building a separate house, I realized that without it there was no peace and comfort. However, if somebody is in dire straits and he is unable to build a house, it is another matter altogether." (Malfoozaat page 137-140)

CHAPTER 3

The importance of clear-cut dealings between the spouses

The custom of the Arabs

It was the custom of the Arabs that all the furniture of the house was clearly divided between the husband and wife. The husband's property is separate from the wife's. The same custom prevails in European countries as well. The property of the Sir is clearly separated from the Madam. (In other words, the property of each spouse is clearly defined.) This custom of clear-cut dealings between the spouses was prevalent amongst us. If only this custom could be reintroduced here in India (and the rest of the Muslim world). (At-Tableegh volume 7 page 40)

The property of both spouses should be separate

Our society has become so tainted that we have become grossly negligent of everyone's rights. Our ignorance has reached such pathetic levels that we are not even aware that clear-cut dealings and individualized rights now prevalent in Europe were once existing in our own society.
Honest dealing demands that the property and possessions of the spouses should be clearly distinguished from each other. In our houses, we don't even know who a particular thing belongs to. Each one is in possession of the other's property. A woman is unable to distinguish which of her jewels came from her father's house and which of them came from her husband's. She doesn't know whether the jewels were loaned to her or given over to her. If a man wishes to sort out what belongs to him in the house, he is chastised and ridiculed. He is disgraced and put to

shame in the entire family. The family comment that he is so miserly that he won't allow anyone to touch his property. In other words, (in their terms), a generous person is he who is totally disorganised and negligent and he doesn't know what belongs to him and what belongs to others. (At-Tableegh volume 7 page 41)

The repercussions of unclear dealings

They will taste the bitter fruit of this "generosity" when one of the spouses die and the estate has to be distributed. One will claim that the deceased had given him a certain item whilst another will assert that the item never belonged to the deceased in the first place. The widow might claim that a certain item belongs to her father's house and so forth. Now there seems no way to sort this matter out. This eventually leads to constant quarrels and tiffs and serves as a form of entertainment to others. As for those families which are more cultured, there obviously wouldn't be any physical encounters as this is contrary to nobility and honour. However, this will lead the family to cherish rancour and malice in their hearts. This eventually renders the house a jail. This is the worldly loss of such a system of society.

Religious loss and deprivation of the hereafter

As for the Deeni loss in such a system, a person makes unauthorised use of another person's property and he henceforth becomes sinful. If the item is destroyed, he is held liable for it. The affair of the hereafter is very delicate indeed. Even if a meagre sum of 3 cents is outstanding in favour of another, 700 accepted Salaah will be snatched away from him and credited in

favour of the other party. How frightening it is that a person performs Salaah for his entire life and they are all snatched away in the hereafter!!

These are the repercussions of not dealing cleanly and straightforwardly. In this world, the people (heirs) suffer malicious rancour in their hearts which makes the life of the entire household unpleasant whilst the hereafter is also destroyed as all his acts of devotion will be snatched away. (At-Tableegh volume 7 page 42)

The torments of unclear dealings

A person once requested me to distribute according to Islamic law the estate of his late wife. I asked him to bring a list of all the possessions of his late wife. Such a request had him so baffled and agonized as he had no account whatsoever of what belonged to him and what belonged to her. I told him: "Added to this agony, whatever you have doubt in will all be considered her property as a form of penalisation. Gather all her heirs. All of them should separate their property. Whatever they have doubt in will all be considered the property of the deceased and accordingly the laws of Meerath (inheritance) will apply."

He acted accordingly and the estate was finally wound up after a great hassle. It was solely because of his piety that he endured all these difficulties and ensured that her estate is wound up.

In short, everyone seems quite pleased to keep all their properties and possessions mixed up. They tend to become disgruntled or offended if an item is attributed to the ownership of a specific individual. However, enormous problems arise when one of the spouses die. The main reason is that our society (and our social dealings) is in a pathetic state. People refrain from sorting out all matters clearly. (At-Tableegh volume 7

page 44)

Discord between the couple due to the lack of clear dealings

The same invariable problem arises in the domestic expenses. Whatever the husband earns, he hands over to the wife to utilise for the expenses of the home. The wife falls under the wrong notion that the money belongs to her because the husband made the sum over to her. She squanders the money as she pleases and also gives charity from the same. She spends very freely on her own family because she is quite complacent in the knowledge that the money belongs to her now. At times when the husband witnesses his wife squandering his hard-earned money, he enquiries about her lavishness only to be greeted with the words: "You gave the money to me. I have the authority to spend as I please." The husband submits: "I did not give you the money. I only kept it by you as a trust." And they continue arguing over this matter. This was the result of unclear dealings. Be clear in your dealings. When you give anything to your wife, specify what you are giving it to her for. (As a trust, a gift, for domestic expenditure or for her pocket-money etc.) {At-Tableegh volume 7 page 45}

The confusion of Zakaat due to the lack of clear dealings

Even in matters pertaining to the payment of Zakaat (on jewellery), the people are grossly deficient. The husband feels that the jewellery is of no use to him, hence he is not obligated to pay the Zakaat whilst the wife is also complacent in the knowledge that the jewellery does not belong to her. As a result, nobody ends up paying the Zakaat. Now when the husband dies, the wife suddenly claims that the jewellery belongs to her, her

husband gave them to her. It is quite surprising that within his lifetime the wife claims that the husband merely lent her the jewels to be worn - so that the burden of the Zakaat rests on his shoulders - and now after his death she claims ownership of the jewels! In other words, in cases of expenditure, the husband was the owner and in cases of income, the wife is now suddenly the owner! All these problems cropped up simply because their possessions were not separated. If the husband explicitly informed her the moment he got the jewellery made (or purchased), who the jewels belong to, there wouldn't have been any problem. Also, the ruse of the jewellery not belonging to either party would not have appeared in any one of the spouse's thoughts at the time of paying Zakaat. All affairs should be clear and well-defined. If the jewellery was given into the ownership of the wife, the obligation of Zakaat rests on her shoulders. On the other hand, if the jewellery was merely loaned to the wife, he is obligated to pay the Zakaat. It is another matter altogether that in spite of the jewellery belonging to the wife, the husband pays the Zakaat on her behalf with her consent. (At-Tableegh volume 7 page 49)

Another vice in regards to jewellery

Another evil (within our society) is that jewellery worth thousands is given to the wife at the time of marriage without specifying if the jewels make up part of the *mahr* (dowry) or not. As a result, the husband has given everything to his wife but not a cent of *mahr* is considered paid. He spent hundreds of thousands but he still remains in debt in lieu of his *mahr* which constitutes *haqqul-abd* (human rights). And as you already heard, if one wilfully usurps even a meagre sum of 3 cents of another human being, 700 accepted Salaah will be snatched

away from him and given to the rightful.
How absurd it sounds that his expenses surpass the actual debt of the *mahr* but the debt of the *mahr* remains intact.
Oh yes! when the *mahr* is requested from the husband in this world, probably by the heirs at the death of the wife, or the wife claims the *mahr* at the time of divorce. the husband now says that all the jewellery presented at the time of marriage was given with the intention of *mahr*. What he does not realise is that only Allah Ta'ala alone is aware of the people's intentions. The people are not aware of each other's intentions. When did he verbally specify that the jewels were given as *mahr*?
If you hand over a hundred thousand as a gift to your creditor of one penny, then too your debt will not be waived off. The debt will only be considered paid when you specify that the money is in payment of the debt. If the husband wishes to give jewellery as *mahr*, he should clearly specify that it is in payment of *mahr*. Keep a record of it or remember it.
Why leave all matters unresolved? This concerns the rights of other human beings. Even if one cent is outstanding, the debt is considered unpaid. In short, all dealings should be executed formally and distinctly. (At-Tableegh volume 7 page 50)

The Islamic method

(1) In regards to furniture, jewellery etc. which is either purchased or made. the husband should verbally specify right at the beginning who the item belongs to - does it belong to him or is he giving it to his wife.
(2) Be explicit even when giving her money. Specify where it should be spent.
In my personal opinion, whilst giving money to the wife for the household expenses. specify that this sum is a trust which

should only be utilised for expenses of the household. However, give her a sum, normally referred to as pocket-money, which she may utilise as she pleases. If you don't give her anything for personal use, she may (utilise the household money for her personal needs) and be guilty of breach of trust. Such an uncompromising policy is cruel and unjust.

(3) When purchasing or getting jewellery made, be specific. If you are giving her the jewellery, tell her that it belongs to her. If you don't intend to make her the owner of it, tell her explicitly that you are only loaning it to her to wear and not giving it to her.

This is the correct method of social dealings which guarantees the religious safety of both spouses. However, our custom has become so despicable that if the possessions of the household are separated, we find it rather strange. Everyone will find it offensive and it will become the talk of the entire family. (At-Tableegh volume 7 page 46-48)

A magnificent parable and a general rule for rectifying the above malady

With due gratitude to Allah! Nothing in our house is left unclear. For instance, the beds in our house. One of them was given to me by a friend. I attribute that one to myself whilst the remaining beds belong to the other members of the household. Similarly, everything in the house is divided (in terms of ownership). All members of the household utilise the items (furniture etc.) but we do know who a particular item belongs to. Life and death is inevitable. If any member of the household dies whilst all his affairs were well-sorted, there wouldn't be any problem with regards to who a certain item belongs to.

This system should be adopted by each and every household.

People find this system very odd and they tend to become bewildered by it simply because it is not very common amongst the masses. If one or two people adopt it, it would seem very unusual and newfangled. However, if this system becomes commonly adopted, nobody will feel offended nor bewildered. Witnessing its benefits, everyone will submit to it and approve of it.

A practical example

A woman once presented a bowl to us as a gift. I enquired from her who she is gifting it to. "Are you giving it to me or the people of the household (wife)?", I asked. This left her in deep thought because she brought the item, in accordance to our prevailing custom, for usage at home. Who it belongs to won't bother her in the least bit. She had no answer to my question since she had no firm intention from the very beginning. Brooding over the matter for some time, she finally submitted, "I have gifted it to both of you." I said: "Fine, now I know that the bowl belongs to both of us jointly." (At-Tableegh volume 7 page 46)

The prohibition of the couple utilising each other's possessions without the satisfaction of the other

Both the husband and the wife enjoy individual ownership of their respective possessions. It is cruel of the husband to utilise his wife's goods without her satisfaction. At the same time, it is untrustworthy of the wife to utilise her husband's property without his satisfaction. By satisfaction we mean that there are very persuasive signs which convince one that the owner is totally satisfied and cordially happy. (Islaahe-Inqilaab page 186)

The reality of "permission with the happiness of the heart" is that the second person also has the ability to refuse. (In other words, at times the person from whom permission to utilise a certain item etc. is being sought, is unable to refuse. Hence, his permission is not really considered as satisfaction and happiness of the heart. Tr.) [Anfaase-Eesaa page 315]

The impermissibility of combining the husband's wealth and spending without his permission

Some women are in the habit of surreptitiously combining their husband's wealth with their own. On some pretext or the other, they give it to their own parents (or any other person) without the knowledge of their husbands. This is a heinous sin. The wife's family have no *Shari* right over the husband's wealth. If she wishes to give something to them, she should first seek her husband's permission. If the husband makes his wife the owner of something, she may utilise it (or spend) it without the permission of her husband. However, if he does not make her the owner, but merely gives it to her for household use, or as a trust, she is not permitted to utilise it without her permission. In fact, she is not allowed to give anything to a beggar also from that trust.

One of the conditions for charity or doing good unto others is that the charity should also be in conformity to the Shariah not against it. For example, if the husband entrusts his wife with an amount and she feels pity on a (beggar etc.), she is not permitted to give alms from that amount. She will be sinful if she gives from that amount even though she considers it to be a very altruistic and pious deed. However, since the amount does not belong to her and she did not seek his permission or he agreed reluctantly and there are very convincing signs of his reluctance,

she acted in contrast to Shari law. Hence, she won't be rewarded. It seems very courageous of her to feel sympathetic towards others without any consideration of her own sinful attitude. This will never be accepted by Allah Ta'ala.
From this we learn that Shariah has taken justice and moderation into account in every one of its laws. (Muwasaatul-Musaabeen supplement to Aadaabe-Insaaniyyat page 394)

Furtively combining the husband's wealth

Some women furtively stash away their husband's money over the years on the pretext that it would be of some assistance if he has to die first. For instance, if he gives her 40 Rupees a month for household expenses, she spends 20 and hoards the remaining 20. If the husband dies before her, she considers herself the exclusive owner of the entire amount and she does not even inform anyone about it. Remember, it is incorrect to do this. The other heirs are also entitled to that sum.
If she wishes to collect a sum of money, she should first seek her husband's permission and ensure that he, whilst in good health, makes her the owner of the entire sum before his *Maradul-Maut* (the last disease which apparently brought about his death). This will ensure that the sum belongs exclusively to the wife or else the other heirs are also entitled to that sum and it would be Haraam for her to be the sole owner. (Asbaabe-Ghaflah supplement to Deeno-dunyaa page 491)

The limitations of spending from the husband's wealth

Some women, whilst spending the husband's wealth, feel he will give permission later on. At times the husband remains silent whilst at times he gets furious which eventually leads to heated

arguments and domestic feuds. Therefore, until and unless the husband does not give explicit permission or she is not convinced of his permission, she should not make any donations (or spend it in any other way).
However, if it is something trivial and the wife is sure that her husband wouldn't mind, it is fine (permissible). This would apply obviously to the beggars and destitute etc. (For instance, if she gives a piece of bread etc. to a beggar, it is permissible. These injunctions will apply if she gives from the husband's wealth.
When these are the limitations and precautions in regards to trivial things, how can she be permitted to fill her parent's or brother's and sister's houses? Obviously they are not given trivial things. Who gives them a slice of bread? They are mainly given cash or sets of clothing etc. They are given such things which will most probably displease him if he is informed. Hence those women who surreptitiously give their family members out of the husband's wealth without this knowledge basically means that whatever the poor man earns goes to someone else! (Asbaabul-Ghaflah page 494)

Women should avoid spending their own wealth also without their husband's permission

The aforementioned rules apply in the case where the wealth belongs to their husband. If she is the owner of the wealth, the husband's consent is not necessary but she should seek his counsel.
Imam Nasai narrates that Rasulullah Sallallahu Alayhi Wasallam said: "It is not permissible for a woman after her marriage to make over any gifts from her wealth except with the permission of her husband."

According to some Ulama, due to a trivial relevance, the words "from her wealth" is a reference to her husband's wealth. However, if the Hadith is applied in the apparent meaning i.e. from her own wealth, then it would mean that since women are (relatively) deficient in intellect and if she is given unrestrained permission, she might squander her money. Hence, Rasulullah Sallallahu Alayhi Wasallam is addressing this intellectually deficient group (the women) that if they wish to spend their wealth, they should seek their husband's counsel first. This interpretation (compared to the first) is more impressive. There is great wisdom in practising on this Hadith as this engenders unity between the couple. This system also increases the husband's love for his wife because he feels that his wife is so attached to him that she doesn't spend even her own money without his counsel. If a woman spends her money on her own accord, the husband finds it strange and perplexing.

Therefore, according to me, the Hadith will apply in its apparent meaning. There is no need to attribute it to the husband's wealth. This importation is also narrated from Allamah Sindhi Rahmatullahi Alayhi. He says: "According to most Ulama, the Hadith is attributed to favourable conjugal relations and to (the wife's endeavour in) pleasing the husband."

So if the wife is compelled to seek her husband's counsel in spending her own wealth, why won't she be compelled to seek his permission in regards to his wealth? (Asbáabul-Ghaflah page 493)

CHAPTER 4

Conjugal relationship between the couple

Intimacy between the spouses is natural

Allah Ta'ala says: "They (the wives) are clothing unto you and you are clothing unto them."

The objective of this simile is to expose intense attachment. In other-words, this simile portrays the intense attachment and intimacy both spouses enjoy. It is through the Mercy of Allah Ta'ala that He engenders such close and intense bonds of attachment between the couple that there is (generally) no other more deeply-rooted bond than this. Without a deep-seated bond between the spouses, fulfilment of each other's rights would have been rather difficult. To achieve this end easily, Allah Ta'ala brought about such a close-knit bond between the two that it is as though both spouses have united. In other words, two bodies with a common soul.

In short, Allah Ta'ala compares the married couple to clothes to portray to mankind that the rights He has promulgated upon both spouses have been simplified in such a manner that He has engendered deep-rooted bonds between them which has ultimately simplified the fulfilment of these rights.

From this we determine the importance of fulfilling each other's rights. Allah Ta'ala considers these rights so important that in order to simplify the fulfilment of these rights, He furnished a system which fell beyond the choice and authority of mankind. And something which Allah Ta'ala considers important, obviously requires our utmost vigilance. (Raful-Iltibaas supplement to Huqooquz-Zawjayn page 135\136)

The husband and wife - a source of adornment for one another

Another point of resemblance in the simile "Women are clothes for you and you are clothing unto them," which comes to mind is that one of the characteristics of clothing is that it conceals. Similarly, women are a source of concealment for men and vice versa. In other words, they are a screen for each other's faults and shortcomings.

And just as clothing is a source of adornment, similarly, the wife is a source of adornment for the husband and vice versa. Clothing being a form of adornment is established from the Quran itself: "O children of Adam! Take up your adornment." Here in this verse, adornment unanimously refers to clothing. Before this verse, mention of clothing was being made in the verse: "O children of Adam! We have sent down clothing for you which covers your shame and (We have sent down) feathers."

Although clothing was not explicitly referred to as adornment in this verse, the outcome of adornment is mentioned. And that is the words "which covers your shame". In other words, We have created such clothing for you which conceals your inelegance. And this is the objective of adornment that it conceals inelegance and defect. The verse also mentions the word "feathers". It refers to feathers of a bird which are also a source of adornment to a bird.

In short, just as clothing is a source of adornment, the wife is a source of adornment to the husband and vice versa. The husband's adornment lies in his wife in a sense that a man with a wife and children holds a degree of esteem in society. The wife's adornment lies in her husband in a sense that people won't normally cherish evil thoughts about her. Before her Nikah

(marriage) her honour and respect is always in danger and under threat. (Raful-Iltibaas page 165)

A man and woman are in need of one another

Another point of similarity that comes to mind is that just as a person is unable to forbear a lack of clothing over his body, similarly a man and woman are unable to forbear the lack of each other's company brought about by Nikah. Not only do they need each to fulfil their carnal desires, but she is in need of her husband for his assistance etc. and he is in need of her service and comfort etc.

During illness, nobody can serve the husband like a wife would. After the death of his first wife, an eighty-year old man decided to marry a second time. He had many daughters and daughters-in-law who prevented him from re-marrying on the grounds that they were there to serve him. The old man was adamant: "Nobody will be able to serve me like a wife would. I will point this fact out to you at the right opportunity." He finally remarried. A few years later he was afflicted with a disease causing excessive diarrhoea. Totally perplexed with the odour, all his daughters and daughters-in-law separated and abandoned him. His wife on the other hand, used to support him on her legs and make him defecate with ease. Thereafter, she used to cleanse his private parts and wash his clothing etc. Even if he had motions of up to 25 times daily, she would clean him and put him to rest. That is when the old man remarked: "For this day I got married a second time. See! Besides her, nobody is able to serve me today."

Hence, like clothing, a man is not independent of a woman nor is a woman independent of a man. A man is like her assistant and she is like his servant. (Raful-Iltibaas page 161)

The husband and wife - subservient to one another

Another point that comes to mind (in regards to the simile "men and women are like clothing unto one another") is that clothing is subjected to the body. From this we deduce that women are subjected and subservient to men. Also, the fact that women being clothing for men is mentioned first in the verse, also portrays that women precede men in subservience.
One may object at this deduction that the remainder of the verse says "men are clothing unto women". Does this therefore mean that men are also subservient to women? In response we answer that he is also subservient to some degree. However, his subservience follows up at a later stage. In other words, women are naturally and lawfully subservient to men whilst men become subservient to them out of love for them. (Raful-Iltibaas page 170)

The status of the marital relationship

Women are no doubt subservient but they are not subservient like maids, servants and slave-women. A woman enjoys a relationship of friendship with her husband as well. One of the distinctive features of this relationship is that at times she tends to become pompous. Due to the marital relationship, the husband's awe does not fall over his wife as it would fall over his servants. It would be rather hard-hearted and cruel of the husband if he wishes his awe to sway over his wife as it does over his servants. Such conduct reflects his deficiency in understanding the status of this relationship.
Friends! This is such a relationship that at times even the pure wives of Rasulullah Sallallahu Alayhi Wasallam used to act in a pompous manner and behave like equal friends with him

whereas who can be equal in status to Rasulullah Sallallahu Alayhi Wasallam? He was unique in every marvel and excellence. Apart from this, he was a ruler. He inspired a tremendous amount of monarchist awe (over the other rulers of the world). In spite of this, he never held such awe over his wives. In fact, he behaved with his wives in a manner in which he considered the aspects of both, authority as well as friendship. The relationship of authority he held over them influenced them never to disobey him. They obeyed and honoured him to such an extent that their hearts contained no such esteem for another human being. On the other hand, their relationship of friendship they enjoyed with him led Hadhrat Ayesha Radhiallahu Anhaa at times to be pompous with him. However, Rasulullah Sallallahu Alayhi Wasallam never found this offensive. (Huqooqul-Bayt page 23)

Equality between the sexes? No. Justice? Yes

Ladies! How can you be equal to men? You have been kept at the rear in virtually everything. Your Imamate (leading the Salaah) is improper. You lag behind men in inheritance, testification, leadership, sovereignty etc. Why then do you aspire for precedence?

Imam Abu Haneefah Rahmatullahi Alayhi is of the opinion that if a female stands next to a male in Salaah (with certain conditions attached), his Salaah is nullified. When there is no equality in Ibaadaat, in which much courage and intelligence is not required, how can you be equal in other non-Ibaadaat affairs which require certain characteristics found predominantly in males only?

There is a natural difference between men and women. They are unable to be on par with men. They are less intelligent, their

power of endurance is relatively lower, their body-parts are more fragile, etc. Hence, they tend to get exhausted more quickly. When Allah Ta'ala has made you relatively more deficient, what equality do you now lay claim to?
In short, it is established by Shariah that women are slightly more deficient than men. For instance, the Quranic verse declares: "And for men, their is a status over women." In other words, the status of men is higher than that of women. Further, the verse continues: "And Allah is exalted in power and wise." In other words, there should be no surprise in this matter as Allah Ta'ala, who is exalted in power has bestowed it accordingly. There is none to prevent him in instituting this. And this command is not merely an ordinance but since Allah Ta'ala is Hakeem (All-wise), His orders are not devoid of Hikmat (wisdom) as well. Hence, there is no scope for contesting this issue.
Men are more superior to women in respect to their natural capabilities. For example, in intelligence, bravery, power, intellectual capabilities, strategic planning etc. Allah Ta'ala has made men more superior than women. Regardless of how rich or beautiful she may be, she will be inferior to men in these attributes. This is why the holy Quran declares: "And men are favoured with a status above the women." (At-Tableegh volume 7 page 97 and 147)

Man the leader and woman the subject, a natural and justified constraint

Women are generally less intelligent than men. The person who is intellectually deficient will probably err in almost everything. Hence, it would be much safer for such a person to follow someone more intelligent than him.

This is also one of the reasons Allah Ta'ala made men leaders over women. As the Quran declares: "Men are custodians (or caretakers) over women." This ensures that all their affairs are under their vigilance and they can be protected from going astray. This is not cruelty, but this stems from justice, wisdom and affection. Examine the case of a child. He is deficient in intellect. What will his condition be if he is left free without being subjected to anyone? Similar is the case with women. It is through the mercy of Allah Ta'ala (and a constraint of nature as well) that He subjected them to men or else none of their affairs would have been in order. They would have been floundering in every aspect of the Deen and the dunya.
Allah Ta'ala has made the husband a leader and the wife his subject. This should not be misconstrued as cruelty and injustice. This is undoubtedly a source of mercy and wisdom in her favour. There is great comfort for her in being subjected to her husband. On the contrary, an efficient system and life style will not be maintained with the introduction of "equality" between the sexes. There would always be problems and contention between the spouses.

It is safest for a woman to be subjected to and obedient to a man

Unrestrained independence and freedom is rather calamitous. Allah Ta'ala says: "Be well aware, O Muslims! The Rasul of Allah is amongst you. If he had to obey you on many matters, you would certainly suffer."
In other words, you should subject yourself to his (Rasulullah Sallallahu Alayhi Wasallam's) commands and not the other way around. You would land yourself into trouble if he had to obey you. From this verse we deduce that it is safer and more prudent

for a minor to be subjected to a senior and for one intellectually deficient to be subjected to one who is intellectually perfect.
It is something to think about that the verse does not mention that Rasulullah Sallallahu Alayhi Wasallam would be in difficulty if he had to follow you. In fact it says that *you* would suffer if he obeys you. From this we deduce that it is to the minor's own benefit if he subjects himself to the senior.
Similarly, (O women!) remain subjected to men for your own benefit and safety. Consider it a great boon that Allah Ta'ala did not make you unrestrained and free or else you would certainly suffer. This is so due to two reasons; firstly, their intellectual capabilities are relatively deficient and secondly they have a tendency to be obstinate. If she is bent on doing something, she will make sure she will execute it. So, they suffer due to two reasons; one is due to her lack of perfect intellect - if she wishes to do something, it is done without much contemplation and deliberation. This is further aggravated by her penchant to be adamant and obstinate. Once she is onto something, she makes sure she achieves her ends regardless of the repercussions. You probably heard of some of them hurling themselves into the well or setting themselves alight over trivial matters. This is due to her deficient intellect and her obstinacy. Hence, their safety only lies in them being subjected and restrained. There should always be a custodian attending to them. (At-Tableegh volume 7 page 100)

Unity between the spouses and the establishment of a systematic household

Remember well! The system of both the Deen and the world will run efficiently only if one is the *Tabie* (Subject) and the other is the *Matboo* (leader). Nowadays, people deliver lengthy

discourses and pass various proposals on unity but they fail to get to the root of it. The root of unity lies in rendering one person the leader to whom the rest of the flock is subjected. If there is no such thing as a leader and subjects in any group and all of them claim to be equal, there would never be unity amongst them. Once they understand this, women should extract the notion of equality from their hearts as this is the root of all problems. Now there remains only two options; either the women become leaders and the men their subjects or the men become leaders and the women their subjects. Women should make the decision using their own discretion. Are they fit to become leaders or should the men lead them? A woman with sound temperament will never deny the fact that men are more superior than women in intellect and strength and they will be able to safeguard women. Women will not be able to safeguard men. In short, men should be the leaders and the women their subjects. This is the decision of the Shariah as Allah Ta'ala declares: "Men are custodians over women." (At-Tableegh volume 7 page 115)

Mutual love and compassion between the spouses

Allah Ta'ala says in the Holy Quran: "And He (Allah Ta'ala) has engendered love and mercy amongst you (between you and your spouses)." Allah Ta'ala has brought about two characteristics between the husband and wife; love and sympathy. The period of love is their youth because both spouses are in their ardour of youth and the period of sympathy is their old-age. This is quite evident from the fact that the service she renders during old-age and decrepitude, nobody else will be able to render such service. (Nusratun-Nisaa page 551)

Portrayal of love - adornment for the husband and modesty for the wife

Some men tend to become a bit suspicious because they openly express their love towards their wives whilst the wives fail to openly return their love. The main reason for this is that the portrayal of love is a form of adornment for the husband whilst (some) women consider it improper. Shame and modesty precludes them from openly expressing their love. She cherishes all her feelings within her heart....(Nusratun-Nisaa page 455)

The conjugal relationship - a relationship of lover and beloved, not only of leader and subject

The relationship between the spouses is not confined to a relationship of a leader and subject. In fact there are two aspects of this relationship; one of leadership and the other of love and attachment. Attending to both rights are indispensable. If the need arises, you may restrain or threaten her. The leader should act like a leader whilst the subject should live like one. However, stay within the boundaries. Don't fall into injustice and cruelty. Just as there are certain rights over the subject in favour of the leader, there are certain rights over the leader in favour of the subject as well. Behave with her taking into account all her rights.
Every single thing has its boundaries under various circumstances. Don't consider the women to be weak and helpless thereby inflicting injustices upon them. A king who exercises his authority over his subjects is quite acceptable. However, cruelty and injustice can never be tolerated. Here, a conjugal relationship is not confined to a relationship of leader and subject but their relationship is double-faceted; a

relationship of leadership and a relationship of love. (Nusratun-Nisaa, Huqooquz-Zawjayn pages 551, 554)

CHAPTER 5

THE RIGHTS OF THE HUSBAND

A few Ahadith on obedience to and the rights of the husband

Allah Ta'ala has awarded the husband tremendous rights and privileges. Satisfying and pleasing the husband is a great form of Ibaadat. Displeasing and angering him is a major sin.

(1) Rasulullah Sallallahu Alayhi Wasallam said: "A woman who performs her five daily Salaah, observes fasting in the month of Ramadhaan, preserves her honour (remains chaste) and obeys her husband, may enter Jannah from whichever door she wishes." (Mishkaat page 281)

(2) Rasulullah Sallallahu Alayhi Wasallam said: "A woman who dies whilst her husband is pleased with her will enter Jannah." (Tirmizi)

(3) Rasulullah Sallallahu Alayhi Wasallam said: "If I had to command anyone to prostrate before anyone other than Allah, I would have commanded the wife to prostrate before her husband. If the husband orders his wife to carry a stone from one mountain to the other and from there to the third mountain, she should do accordingly." (Mishkaat page 281)

(4) Rasulullah Sallallahu Alayhi Wasallam said: "If a man summons his wife to attend to his personal needs, she should ensure she attends to him even if she is at the stove." In other words, regardless of the importance of *her* work, she should go and attend to him.

(5) Rasulullah Sallallahu Alayhi Wasallam said: "If a woman refuses after her husband has called her to sleep with him and he goes to sleep in a state of anger, the angels curse her until the morning."

(6) Rasulullah Sallallahu Alayhi Wasallam said: "When a woman torments her husband in this world, one of the *Hoors* who will become his wives in the hereafter says: "May Allah destroy you! Don't torment him. He is not but for a few days as your guest. In a few days he will leave you to return to come to us."

(7) Rasulullah Sallallahu Alayhi Wasallam said: "There are three people whose Salaah is not accepted nor are any of their good deeds approved of; one is a slave who has absconded from his master, the second person is a woman whose husband is displeased with her and the third person is a perpetual drunkard."

(8) Rasulullah Sallallahu Alayhi Wasallam was once asked: "O Rasul of Allah! Who is a good wife?" He replied: "A woman who pleases her husband when he looks towards her, she obeys him when he commands her and she does not do anything, either in regards to his life or property, which is displeasing to him." [Extracted from Behishti Zewar and Hayaatul-Muslimeen]

The honour and status of the husband

O women! you are so inferior to your husbands that Rasulullah Sallallahu Alayhi Wasallam said that if he had to command anyone to prostrate to anyone other than Allah, he would have ordered the women to prostrate before their husbands. Do you have any idea of the status of your husband? Alas! nowadays women confront their husbands with abusive words and contentious arguments.

If you argue that his anger also makes us angry then remember that one only gets angry with those lower or equal in status to him. If one considers another to be superior or more higher in rank than him, he will never get angry with him. A servant does

not express anger to his master. Similarly, a member of the public cannot get angry with the ruler and the son does not express his anger to his father. This is so because one party considers the other more superior than itself.
Ladies! The fact that you are getting angry due to your husband's anger shows that you consider yourself more superior or equal in rank to him. This notion is totally erroneous. If you consider yourself inferior and subjected to your husband, you would never ever become angry with him. Remove these evil ideas from your hearts and consider yourself inferior to men as Allah Ta'ala has made you. And don't ever argue and fight with him when he gets angry. (Huqooqul-Bayt page 51)

The status of the wife in relation to the husband

O women! Your status is even lower than that of a bondswoman.[1] The Hadith says that if anyone was granted permission to prostrate before anyone other than Allah Ta'ala, the wife would have been compelled to prostrate before the husband. The hadith does not say that the slave girl would have been compelled to prostrate before her master. From this we deduce that your status (compared to your husband) is even lower than that of a slave girl. And the rank of the husband is more superior than that of a master.
However, your condition on the other hand is such that it is considered disgraceful to be restrained by the husband. You don't even consider these laws as part of the Deen. Overcome by

[1] This does not mean that women are totally worthless. Such parables are merely cited to portray the rank of the husband over the wife.

enthusiastic zeal, you will go on reading *Wazifahs*, *Tasbeehaat* etc. but allow me to warn you that the rank of these *Wazeefahs* are inferior to these laws. The maximum virtue lies in those deeds which go against the *nafs* (desires). And obedience to the husband falls against the *nafs*, hence it has a more superior status. (Islaahun-Nisaa, Huqooquz-Zawjayn page 190)

The husband is like a spiritual mentor

The spiritual mentor (*Sheikh*) attends to the spiritual enhancement of the *mureed* (disciple). However, a normal spiritual mentor who accepts Ba'yt is insufficient to attend to the spiritual needs of the women. The Spiritual mentor is not available to them at all times. They require a Spiritual mentor of the house, the husband. This type of Spiritual mentor i.e. the husband is more beneficial to her than the other categories of Spiritual mentors. And his status is also more superior than the others. What a nice Spiritual mentor this household Spiritual mentor is. Apart from attending to your Deeni requirements, he also provides food etc. for you. He takes the responsibility of both the Deen as well as the dunyaa. These characteristics wouldn't be found in a normal Spiritual mentor. There is no worldly benefit to be derived from him. In fact, offerings (of gifts etc.) have to be made over to (some) of them. Also, she won't be able to derive as much Deeni benefit from him as she would derive from her husband. A normal Spiritual mentor will only be able to guide you when you enquire about something or whenever you happen to go to him. This might come about probably once in many years. Women in particular will hardly end up meeting their Spiritual mentor. The husband on the other hand is always with them. He will be able to monitor every deed. This is why I maintain that the Spiritual mentor of the

Ba'yt (house) is more superior than the Spiritual mentor of Bay't.

For some women, the spiritual mentor of the Bay't (house i.e. the husband) is more beneficial than the spiritual mentor of the b'ed (the cane). The spiritual mentor of the Ba'yt (house) will suffice for those women who are well-cultured, well-mannered and understanding. As for those who are uncultured, ill-mannered and lack understanding, they require the spiritual mentor of the b'ed (cane).....[At-Tableegh volume 7 page 110]

Regardless of her superior rank, obedience to her husband is invariably imperative

Some people are of the opinion that men have unrestricted superiority over women and women are worthless non-entities. This is a fallacious notion. In fact, in some aspects they are equal to men whilst in some aspects they can surpass men. She can attain a higher status than men if she observes more Ibaadaat like Salaah, Saum etc.

The Shariah commands obedience to Allah and His Rasul Sallallahu Alayhi Wasallam. The husband will not be obeyed in opposition to Allah and His Rasul Sallallahu Alayhi Wasallam. In this respect, all women are equal. Even if she does not have a spiritual mentor, she should first and foremost obey Allah and His Rasul Sallallahu Alayhi Wasallam.

The rights of Allah and His Rasul Sallallahu Alayhi Wasallam are far more superior than the rights of the husband. Apart from Allah and His Rasul Sallallahu Alayhi Wasallam, the husband has the most rights over his wife. However, since the ordinary laymen are unable to determine the laws of Allah and His Rasul Sallallahu Alayhi Wasallam themselves but through the medium of the spiritual mentors (Ulama and the Mashaikh), we can

conclude, albeit metaphorically, that the spiritual mentors' rights are more superior than the husband. If the husband's directives are not in conflict with the Shariah, nobody else will be obeyed as his rights are the most superior. (At-Tableegh volume 7 page 110)

A woman's superiority over her husband in piety and religiousness does not absolve her of obeying him. She is invariably compelled to obey and honour her husband. Between the spouses, there are two aspects of superiority; the matrimonial aspect and the aspect of religiousness. In regards to matrimonial superiority, she will never be more superior than him. He will invariably be more superior than her in this respect. Even though she enjoys certain rights against him, he will always be more superior. As for superiority in regards to piety and religiousness, she can be more superior than him in this respect. There is a possibility that her status and merits are more superior in the eyes of Allah Ta'ala because this superiority is founded upon good deeds etc. Nonetheless, this does not render her a mistress over her husband. She will invariably remain subjected to her husband. (At-Tableegh volume 7 page 169)

The husband has the most superior right after Allah and His Rasul Sallallahu Alayhi Wasallam

Ladies! Remember well that apart from Shari laws, the rights of the husband supersede that of the spiritual mentor. If your husband commands you to do something which is not against the Shariah, nobody else will be given preference. Hence, the husband enjoys the most superior rights after Allah and His Rasul Sallallahu Alayhi Wasallam. If the husband commands you to do something whilst the spiritual mentor forbids you from doing it on the grounds that it is contrary to the Shariah,

the husband will not be obeyed. In this case, the spiritual mentor will be obeyed. In fact it will be considered as though she obeyed the law of the Shariah.

The limits of obedience to the husband

If a woman was compelled to obey her husband in everything, many of them would have been deprived of worshipping Allah Ta'ala which is the cardinal objective of the creation of mankind. As Allah Ta'ala says: "And We did not create the jinnaat and mankind except that they may worship Me." We deduce from this verse that the actual objective of the creation is the worship of Allah Ta'ala. Hence, this objective should always be in the foreground.

An authentic Hadith mentions: "There should be no obedience to the creation in the disobedience of the creator." In other words, it is not permissible to obey any command of the creation if it falls in contrast with the command of the Creator.

If the husband commands his wife to perpetrate a sinful deed, for instance, he orders her to withhold her Zakaat payment or to refrain from salaah or to abstain from pursuing (compulsory) Deeni education or something akin to it, it is Haraam to obey him. It is Fardh to disobey him if he commands her to abstain from a Fardh, Wajib or Sunnate-Muakkadah. However, if he commands her to abstain from a Mustahab (optional or preferable) deed, she is compelled to obey him. (Izaalatur-Rayn an Huqooqul-Waalidayn page 34)

Nowadays, some women are very fashion-conscious. They emulate the styles and dressing of other (non-Muslim) nations. At times, the women themselves have no inclination to do this. but their menfolk compel them to. Remember! There is no scope to obey the creation when the Creator is being disobeyed. The

women should ensure that they refrain from dressing in this manner even if their husbands compel them to as this is tantamount to emulation of men (or of other nations). (Huqooquz-Zawjayn page 344)
To sum it up, she should obey him in permissible and Makrooh Tanzihi acts and refrain from adhering to his demands of omitting a fardh, Wajib or Sunnate-Muakkadah. (Izaalatur-Rayn)

The husband's rights - a basic principle

The wife is not permitted to carry out a permissible deed if it hampers her services to him. In this world, nobody else enjoys such rights as the husband over his wife as is evident from various Ahadith. However, she is not compelled to obey each and every one of his orders. She is compelled to execute his orders if abstention from such an order causes inconvenience to him or hampers her services to him provided they are not in conflict with the Shariah. She should ensure that she is not deficient in serving him or in fulfilling his rights.

Important rights of the husband over the wife

(1) It is Fardh upon the wife to serve her husband and fulfil his desires. (Izaalatur-Rayn)
(2) She should not observe Nafl fasting nor Nafl Salaah when he is around without his permission. (Behishti Zewar)
(3) Without his consent, she should not leave the house to visit anyone, relatives and strangers alike. (Behishti Zewar part 4 page 38)
(4) She should not live in an untidy and dishevelled manner. She should adorn and beautify herself. In fact the husband has the

right to beat her if she, in spite of him ordering her, refrains from adorning herself.

Leading the men to piety is the responsibility of women

One of the Deeni deficiencies found amongst some women is that they are not very particular about steering men away from the fire of hell. In other words, they couldn't be concerned in the least bit whether the husbands provide Halaal or Haraam for them. His source of earnings, be it in the form of bribery or any other Haraam avenue is of no concern to them. Explain to your husbands that they should not pursue Haraam sources and you would suffice with the little Halaal that they provide.
Similarly, if the husband discards his Salaah, she won't advise him in the least bit whereas if her own interests are at hand she will leave no stone unturned in achieving her ends. If a woman wishes to make her husband religious-conscious, it is not a very difficult task. However, to achieve this you should endeavour to become religious-conscious yourself. Be regular and particular about your Salaah, Saum etc. Thereafter, advise your husband as well. Insha Allah, your advice will then be very impressive. If the women muster the courage and strength, the men will have no option but to become Allah-conscious. There are many instances whereby the women pressurized the men into giving up their evil practices. For example, some told them that if you don't abstain from accepting bribery, we will not eat your income. Their relationship of love compounded with her sincerity had such an effect that they relinquished their evil habit of accepting bribes. (Islaahe-Inqilaab page 184)

Rights of the husband over the wife

(1) To obey the husband provided his orders are not in conflict with the Shariah.
(2) To refrain from requesting more than he can afford.
(3) To ensure that nobody enters the home without his permission.
(4) To refrain from stepping out of the house without his consent.
(5) To refrain from giving anything from his wealth without his consent.
(6) To abstain from observing optional Salaah and Saum without his permission.
(7) Not to refuse when he desires intercourse without any Shari impediment (like menses etc.)
(8) Not to despise the husband because of his poverty or his ugliness.
(9) To forbid politely if she happens to witness him perpetrating an anti-Shari deed.
(10) To avoid addressing him by his first name.
(11) To abstain from quarrelling and arguing with him.
(12) To avoid complaining about the husband before others.
(13) To avoid quarrelling and arguing with his relatives
There are many rights in favour of and against both spouses. I have written down whatever has come to mind. (Imdaadul-Fatawaa volume 2 page 186 question 278)

Summary of each other's rights:

The rights of the wife over the husband

(1) To be generous in her maintenance according to his

capabilities.
(2) To continue teaching her Deeni Masaail and emphasising the need for piety.
(3) To permit her to meet her close *mahr*ams (her immediate relations) now and again.
(4) To exercise patience and silence over her mistakes. If the need ever arises for admonishment, take into account moderation. Avoid being very stern.

The rights of the husband over the wife

(1) To obey, respect, serve and endeavour to please him. However, she should excuse herself in regards to impermissible acts.
(2) To refrain from demanding more than he can afford.
(3) To refrain from spending his wealth without his permission.
(4) To avoid being harsh towards his relatives in a manner displeasing to the husband. In particular, she should behave in a respectful and courteous manner to his parents. (Huqooqul-Islam page 14)

A few Masaail regarding obedience to the husband

If the husband is at home, she should avoid observing nafl (optional) Salaah and Saum without his permission as this might hamper her services towards him. Yes, she may observe Nafl Ibaadaat with his permission. The Hadith outlining this Masalah only makes mention of the clause "whilst the husband is at home". Hence, if the husband is out (on a journey etc.) she may do so without his permission. We deduce from the same Hadith as well that she is not permitted to carry out something that would affect her services towards him without his consent.

(Izaalatur-Rayn an Huqooquz-Zawjayn page 84)

Undertaking Bay't without the consent of the husband

It is permissible for a woman to take Bay't (a pledge of spiritual allegiance) at the hands of a Shaikh without the permission of her husband. However, if there is a fear of any problems, it is permissible for her to relinquish undertaking Bay't. For instance, if the husband restrains her from undertaking Bay't, she should not take Bay't. However, if she herself wishes to take Bay't and she is courageous enough, she should, placing her trust in Allah Ta'ala, take Bay't. If this creates problems for herself, she should exercise patience and not express ingratitude. The servants of Allah Ta'ala are afflicted with various difficulties. Such personalities are awarded high ranks in the hereafter. (Ibid)

Perpetrating a Makrooh Tanzihi at the behest of the husband

The aforementioned rule also applies to Makrooh Tanzihi deeds (acts which are religiously disapproved but to a lesser degree). If the husband commands her to execute such acts, she should abstain if she has the courage to do so or else she may carry them out. However, if he commands her to execute sinful deeds, for instance, he prevents her from paying Zakaat, or from observing Hijaab (purdah) etc. it is Haraam (totally forbidden) to adhere to his commands. It is Fardh (compulsory) upon her to oppose him. If he restrains her from carrying out a Mustahab (preferable) act, it is wajib (mandatory) upon her to adhere to him. (Izaalatur-Rayn)

Is she compelled to serve a relative or mother-in-law at the behest of her husband?

If the husband requests his wife to do some permissible work for anyone, relative or stranger, she is not compelled to concede to his demands. For example, he commands her to bake bread, sew clothes etc. for other people. However, if he commands her to do it out of some dire necessity, she is compelled to execute it accordingly because its non-execution might cause hardship to the husband. (Izaalatur-Rayn page 49)
Some men consider it their good fortune to keep their wives subjected to their mothers. This causes undue hardship and cruelty to these ladies. Remember! It is **not** compulsory upon the wife to serve her mother-in-law. If you consider yourself fortunate enough, why don't you serve her yourself or employ a domestic servant instead. (Islaahe-Inqilaab volume 2 page 188)

Is she permitted to do a stranger's work?

Out of dire need if a woman sews clothing for strange men, it will be permissible provided the person she is sewing for is pious and there is no fear of Fitnah (spiritual contamination). However, if the stranger is irreligious and there is a fear of Fitnah, she is not permitted to sew for him. Some immorally behaved persons tend to attain pleasure by merely looking at the sewing of a seamstress. (Izaalatur-Rayn page 49)

Obedience to the husband in spending in lawful channels

If the husband, without any Shari cause, restrains her from spending her own wealth in lawful avenues, she is not compelled to obey him. However, this should not create

problems and disunity. Both spouses should ensure that they live with harmony and unity as far as possible. Some husbands, due to their irreligiousness tend to oppose their wives at such instances. She may obey him in regards to permissible and Makrooh Tanzihi acts just to avoid unnecessary problems. She is not permitted to omit Fardh, Wajib and Sunnate-Muakkadah at his behest. (Izaalatur-Rayn page 48)

An important Masalah

In Shari terms, the property of each spouse is recognised individually. The wife will be the sole owner of the property over which she exercises her rights of buying, selling or disposal of her property. Similarly, the husband is regarded the sole owner of the the property over which he has unrestricted disposal. If the combining of both properties in a disorderly manner adds up to the minimum *Nisaab*, Zakaat and other such monetary dues will not be waived. Hence, if the husband tells his wife that their property is commonly owned and both of them are co-owners, therefore she should not discharge Zakaat, she should not obey him as this is contrary to the Shariah. Obedience to the creation is not permitted when the Creator is being disobeyed in the process. Some people are very apathetic towards this. (Izaalatur-Rayn page 47)

Adorning herself is a right of the husband

The Shariah stipulates that a woman should adorn and beautify herself for her husband. In fact, she is rewarded if she adorns herself for her husband. It is rather disturbing to note that nowadays (some) women live like toilet-cleaners (dirty, untidy and dishevelled) before their husbands and when they venture

forth amongst their relatives (and other people) they adorn themselves from head to toe. If on the other hand, a woman decides to dress up for her husband; the poor lady is scoffed at. Other women taunt her and accuse her of immodesty saying: "Oh! Look at her. She has no shame, she is adopting shameless blandishments for her husband." How deplorable! Where she is required to adorn herself, she is scoffed at and taunted and where she has been restrained from exposing her refinery and blandishments, great care is taken. When the husband commands her to adorn herself, what right does she have to live in a dishevelled and untidy state? (Khairul-Irshaad At-Tableegh volume 14 page 59)

A grave error of some women

It is rather surprising that some women live like toilet-cleaners and maids at home and the moment they have to step into some conveyance, they dress up and transform themselves into "madams".

Everything has some objective and aim behind it. What will be their response if they are asked why they are adorning themselves out of their homes? It seems as though their objective is to adorn themselves for **others**. It is rather ironical that she does not wear the clothing for whom it was made (the husband) and also it seems very strange that in spite of the husband paying for the clothing, she does not wear it for him and wears it for others. I feel ashamed mentioning such issues but such issues are discussed for the sake of reform.

How amazing! She does not converse in a civil manner with her husband nor does she adorn herself for him. However, when she goes to the homes of others, she speaks in a civil and sweet manner and even adorns herself. The husband pays the price,

whilst others get the benefit. What sort of justice is this? (At-Tableegh Dawaaul-Uyoob volume 44 page 91)

An important Fatwaa

Refraining from maintaining the wife or harassing her in consideration of the parents

If the parents command one to abstain from a compulsory Shari due, let alone wajib, it is not even permissible to adhere to their demands. For instance, a person has such limited financial resources that if he has to serve his parents financially, his wife and children will land in difficulty. Such a person is not permitted to torment his wife and children whilst spending upon his parents. (Imdaadul-Fatawaa)

Conducting herself before her husband

Story of a pious lady

Every night after Eshaa Salaah, a pious lady used to adorn herself with beautiful clothing, jewellery, Surmah and do her hair up. She would then proceed to her husband and ask him if he required her. If he replied in the affirmative she would sleep with him for a little while and if he replied in the negative she would seek his permission to occupy herself in the Zikr of Allah Ta'ala. Following his permission, she would remove her clothing and jewellery and put on simple clothing and occupy herself for the entire night in the Ibaadat of Allah Ta'ala.

Look at the condition of this pious lady. At times she would adorn herself whilst at certain times she would put on coarse clothing. If somebody witnessed her whilst she was well-groomed, he would have surely been sceptical of her piety. But he does not realize the aim of adorning herself. She should not adorn herself to satisfy her own whims and fancies but

rather because it is a Shari ruling that a woman should adorn herself for her husband. In this instance, she was rewarded for adorning herself. This saintly lady was observing a Shari rule because when the husband commands his wife to adorn herself, she has no right to live in an untidy and dishevelled state. However, when her husband did not require her and she did away with all her adornments, then too she did not do so to satisfy her whims and fancies. Such saintly people are subjected to the Shariah whether they adorn themselves or whether they opt for simplicity, they don't do anything to please their souls. (At-Tableegh volume 14 page 59)

CHAPTER 6

Conducting with the husband and an indispensable code of conduct

There is no need to explain anything much to understanding women. They have the ability to differentiate between good and evil. However, we will still explain a few indispensable words of advice. Once you understand these, you will be competent enough to understand other things as well. (Bahishti Zewar volume 4 page 39)

The vitality of unity and obedience

Remember that the bond linking husband and wife is a bond both will be subjected to for the rest of their life. If both their hearts are united and well-bonded, there is no greater blessing than this. And if, Allah forbid, their hearts are not compatible and disunited, there is no greater calamity than this. Hence, as far as possible, live with his heart in your hands (always award preference to his pleasure) and carry out your responsibilities with the mere gestures of his eyes (meaning his slightest wish should be your command). If he commands you to fold your hands and remain standing for the entire night, then the prosperity of this world as well as the hereafter lies in you enduring this trivial harassment of this world thereby attaining the success and prosperity of the hereafter. Don't ever do anything that is in conflict with his nature and moods. If he regards the day as night, you should also do the same. (Bahishti Zewar)

The need for honouring the husband and taking his nature into consideration

Whenever you converse with your husband, take his moods into consideration. If you find him in a jovial mood, joke and laugh with him. If not, avoid being jovial with him. Converse with him according to his moods.

Remember well that the relationship between husband and wife is not based on love alone but coupled with love, her honour and respect for him is also imperative. It is a great error to consider him your equal.

Don't ever accept any service from your husband. Driven by love, if he ever massages your hands or head, don't allow him to do so. Ponder for a moment that if your father has to do this, will you ever accept it? How can you allow your husband then to serve you when his status is far greater than that of your father?

In all your actions, conversations and in every facet of your relationship with him, always be mindful of your manners and behaviour with him. (Behishti Zewar page 40)

Refrain from asking more than he can afford

Do not ask your husband for an allowance that is beyond his financial position. Whatever is available to you - even if it be dry bread and chutney - consider it your own home and continue with your life. If you happen to fancy some clothing or jewellery and your husband does not have the financial resources, do not request him to purchase it nor despair over its unavailability. Don't even mention it to him. Think for yourself that if you mention it to him, he will think to himself that this woman has no concern for me as she is making inappropriate requests. In

fact, even if the husband is wealthy. as far as possible avoid asking for anything yourself. However, if he himself asks what he may bring for you, there is no problem in making a request then. Don't make a request on your own accord because he who asks of others ultimately lowers his status in their eyes and becomes disgraced. (Bahishti Zewar page 39)

Code of conduct when he returns from a journey

When your husband returns from abroad or from a distant journey, enquire about his health, his conditions, whether he encountered any difficulties or not. Massage his hands and feet, perhaps he is tired or hungry. Make arrangements for the preparation of meals etc. for him. If it is a hot summer's day, fan him and cool him down. In short, do whatever you can for his ease and comfort. Don't ever start talking about money and about what he brought and how much he brought for you and where his wallet is etc. When he is finally prepared to give something to you then only you may accept it. Do not take him to task by telling him that he earns so much and he has given you so little, nor rebuke him and tell him that he spends too much of money on himself. If you happen to ask him such questions when he is in a good mood and you coincidentally pose such questions to him in an amicable manner, there is no harm in this. (Behishti Zewar page 40)

The worth of what he brings home and the despicability of ingratitude

Always express pleasure over the things your husband brings for you whether you fancy the items or not. Don't ever say that a certain item is not nice and express dislike for it. Such an

attitude will break his heart and in the future he will not be disposed to bring anything for you. If you praise the item and accept it happily, he will become very cheerful and more generous in the future.

Don't be overtaken by anger and express ingratitude towards your husband. Don't say that you experienced no pleasure and joy in this household and your whole life was spent in difficulties and problems and nor say that your father has destroyed your future by throwing you into this blazing fire and immersed you into lifelong problems. Such comments tend to nurture hatred and dislike in the heart.

It is mentioned in a Hadith that Rasullullah Sallallahu Alayhi Wasallam is reported to have said: "I have witnessed relatively far too numerous women in hell." Somebody enquired of him: "O Rasulullah! Why would there be more women in hell?" He replied: "They curse others a lot and they are ungrateful towards their husbands." Ponder over the seriousness of expressing Ingratitude towards the husband. (Behishti Zewar page 39)

Protecting the husband's property and the importance of tidiness

Keep your husband's property in a neat and orderly manner. Ensure that the bedroom is neat and clean and do not allow it to become dirty. The bed should not be untidy and dirty. Remove all wrinkles and creases from it. If the pillow is dirty, change the pillow-case and if there isn't one, sew one. There is nothing grand about you doing something only **after** he asks you to do it. True elegance lies in you doing everything right without him asking you to do so. Whatever is entrusted in your care, keep it safely. If it is clothes, fold them (or hang them) neatly; don't dump them nor leave them strewn about. Keep them in a

suitable place.
Don't put up excuses and find ruses for everything. Don't ever concoct lies as this weakens your esteem and honour and in the future you will never be believed in what you say. (Behishti Zewar page 41)

Refraining from obstinacy and offensive language

Due to an acute lack of understanding and due to their apathetic behaviour towards the repercussions, some wives utter such things which engender sorrow and displeasure within their men's hearts. At times they tend to irrationally blurt out certain things whilst at times they tend to taunt and reproach their husbands. Consumed by rage, they spit out their bitter words against their husbands merely to offend them with no apparent purpose. Ultimately, when the husband's heart is turned away from her, she goes about crying and weeping in vain.
Remember well that once his heart has already been tainted by your hostile tongue and even though you somehow reconcile after a few days, it won't be the same as before. No matter how many excuses and apologies you may proffer later on, the love and clear-heartedness he cherished in your favour will not be found. Later on, when any incident occurs, his mind will wander back to the arguments you had with him and he will think to himself that this is the same person who told me such-and-such thing on that day. Therefore, always think and ponder before dealing with affairs relating to your husband. You will thereby earn yourself the pleasure of Allah and His Rasul Sallallahu Alayhi Wasallam and the bounties of both this world as well as the hereafter.
Do not be adamant and stubborn on any matter. Even if something is committed against you or contrary to your whims,

overlook it this time and attend to it at some other appropriate time.

If you are encountering any difficulties at your husband's house, don't mention it but rather express happiness lest your husband gets grieved about your constrained circumstances. Such manners will surely bring about his pleasure and happiness. (Behishti Zewar volume 4 page 39)

Her reaction to his anger and temper

If your husband is angry with you over something and he tends to cold-shoulder you, don't pull up your face and sit put. Instead, coax and cajole him, seek his pardon and humble yourself before him. Do whatever you can to win him over. Don't cold-shoulder him even if he is at fault and you are blameless. Consider it a source of pride and honour to humbly seek his pardon.

If you are to blame and it is your fault, then to sit aside stuck-up and furious is an even more greater act of stupidity and immaturity. Such actions are bound to break his heart.

If the husband is upset over something, don't say such things which are bound to aggravate his anger. If he ever scolds or rebukes you, take control of yourself and do not back-answer him. No matter what he says, remain calm and silent. He himself will regret his follies once his anger subsides and he will become extremely pleased with you. This attitude will, Insha Allah, ensure that he does not become angry with you in the future. However, if you do not remain silent and display any sign of defiance, the incident may have disastrous consequences. (Behishti Zewar page 41)

In the event of an illicit relationship

Don't ever slander your husband on grounds of trivial doubts. For instance, don't tell him that he jokes and laughs with a particular woman, or he tends to frequent a particular place and what he is up to over there etc. If he is innocent, think for yourself how upset he will be on hearing these accusations. On the other hand if he is an evil person and your accusations turn out to be true, then your anger, grumbling and forcing him to admit will only aggravate the situation against you. If you yourself wish to turn his heart away from you, you can do so to your own detriment. Do you really think he will relinquish his evil habits with such an attitude? If you wish him to abandon these illicit and evil relationships, employ tact and wisdom. Speak to him in privacy and explain to him (the evil of such a relationship). The day Allah Ta'ala grants him guidance, he will become your "slave". Despite you explaining to him and making him feel ashamed of himself in privacy, he refuses to abandon his evil habits, exercise patience. Don't go about advertising his evil ways thereby disgracing him. Avoid letting your fury overcome you and don't try to subdue him as this will make him more adamant and persistent. If you are driven by your fury and go about telling people about his relationship, then the level of relationship that prevailed between the two of you will drop even further. He might avoid conversing with you altogether. Then you will go about crying in lament and despair. (Behishti Zewar)

How to subdue the husband

Remember well that Allah Ta'ala has made the men like lions. (In other words, He has endowed them with valour and bravery.)

They will never become subjugated to you with pressure and force. The simplest method of overpowering them is to flatter, cajole and obey them. It would be rather erroneous and immature of you to try and pressurise them out of anger. You might not understand the evil consequences of this at this point in time but once there is an outbreak of quarrelling and dissent, the evil repercussions of this will no doubt appear at some time or the other. (Behishti zewar page 41)

Code of conduct with the in-laws

Live in an amicable and graceful manner with the family. From the very beginning be mindful of your manners and character. Be compassionate towards the young and respectful towards the elderly. Don't hand over your responsibilities to others nor leave your possessions lying around thinking that somebody else will pick them up for you. Whatever activity your mother-in-law or sister-in-law (husband's sister) is engaged in, don't think it is below your dignity to do the same work. Do the work without them asking you to do so. This will engender sentiments of love within their hearts for you. When two people are conversing in hushed tones, separate yourself from them nor try to determine what they are conversing about. In addition to this, don't needlessly think that they are talking about you.
You should most definitely also bear in mind that you don't live dishearteneddly in your in-law's house. Although you may not feel at ease on account of it being a new home to you or on account of them being strangers to you, you should try and make yourself understand (and get used to the place) instead of just sitting down and sulking away. You have only just come to a new place and now you already have a tendency to depart from there!

Always be on your guard when engaged in any conversation. Don't talk so much of trash that it looks immoral nor talk so little that in spite of them coaxing and cajoling you, you hardly utter anything as this is also not good and considered a sign of pride.

If you tend to dislike something at your in-laws house, don't complain about it nor carry tales when you come to your mother's house. It is rather evil to go and mention everything that takes place at your in-law's house and it is also extremely detestable for the mothers to "dig-up" and wheedle every little thing from their daughters. It is mainly through these evil habits that quarrels, squabbles and bickering crop up between both the families. These habits breed nothing save this.

If your husband hands over his salary to his parents instead of you, don't feel offended. In fact even if he hands it over to you, wisdom demands that you don't accept it and ask him to hand it over to them so that they don't cherish evil thoughts about you and think that you have taken their son under your control. (Behishti Zewar page 40)

Cordiality and unity with the mother-in-law and sister-in-law

Together with the relationship of blood-ties in the Holy Quran, Allah Ta'ala has made mention of the relationship of *Musaaharat* (in-laws) as well. From this we can deduce the importance of the rights of the father-in-law and the mother-in-law. Hence, special considerations of Ihsaan and Akhlaaq (good character and decorum) should be taken into account when dealing with them as well. (Huqooqul-Islam page 15)

As long as your parents-in-laws are alive, regard serving and

obeying them as your duty and honour. Don't think about living separately from your mother-in-law and sisters-in-law as this is the root of a soured relationship between you and them. Think for yourself that his parents brought him up and nurtured him and they, in their old age, got him married to get some rest and comfort. On the contrary, the moment the daughter-in-law steps foot into the house, all she is thinking about is separating her husband from his parents. Once his mother learns that the daughter-in-law is instigating her son to live separately, numerous problems and squabbles ensue. (Bahishti Zewar page 41)[1]

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[1] However, these rules are based on good character alone because the wife has the right to live separately from her in-laws. She may request this right and her husband is compelled to fulfil this right. In fact, if he is convinced of impending discord between his wife and family - as is generally the case nowadays - good character also demands that he makes separate arrangements for his wife's accommodation. See chapter one for further details. (Compiler)

CHAPTER 7

Discord amongst women

The discord and conflicts between women are not *shadeed (serious)* but rather they are *madeed* (lengthy). If there are embittered relations between them, they extend over a long period of time.
Another evil habit they have is that whenever they quarrel over something, they have a penchant to dig up old bones. This malady is found relatively to a lesser degree amongst men. Even if matters have been sorted out and old scores have been settled, women tend to repeat the same old problems on another occasion of dispute. The problems of the second occasion may be trivial but simply as a result of "digging up old bones", it gets very serious, particularly when her reminder is in harsh and heart-rending words in which women are very proficient. On occasions of censure and rebuke, she will boast of all her past favours in a manner that is really disturbing and heart-rending. (Insidaadul-Fasaad page 326)

Difference between the anger and disputes of men and women

A man's disposition contains a tremendous amount of heat. This is why the effects of their anger are exposed in the form of beating, shouting and screaming. Women on the other hand have been endowed with modesty and coolness within their dispositions. This is why the effects of their anger are not readily exposed. In actual fact, the anger of women surpasses that of men. Due to a relative deficiency in their intellectual capabilities, they tend to become furious on occasions where

men tend to remain calm. Hence, the occasions for their fury and anger are also dramatically increased. Apart from this, "sweet anger" is more long-lasting than the anger expressed by shouting and screaming. The fury expressed in the form of shouting and screaming is like boiling water which, when removed from its source of heat, subsides very quickly. "Sweet anger" on the other hand remains and continues simmering within the heart. Such a condition is referred to as malice. So "sweet anger" comprises of a two-faceted sin and malice comprises of an additional sin. When the fury has not exposed itself, it remains simmering within the heart leaving a trail of anguish and unpleasantness between the parties. So, malice is not only a sin on its own but it is a root of many other sins. Malice forms part of "sweet-anger" and "sweet-anger" is found relatively more in women than in men. Hence, the fury of women is a source of numerous other sins. The anger of men on the other hand is not like this. The anger of men is more of a fleeting seizure whereas the anger of women is "sweet" (unapparent and long-lasting). [Ghawaailul-Ghazab page 24]

Causing dissension - an evil tendency in some women

Women are relatively more fond of back-biting. They carry tales themselves and listen to others a well. They have a penchant and quest for this evil. When a woman comes to her, she will enquire what another woman had to say about her, as if she was just waiting to hear something. When informed what evil the other woman had to say about her, then alas! the path to an unfavourable relationship is cemented. Remember, such backbiting brings about dissension and breeds enmity between the parties. Apart from this, backbiting about others and listening to others backbite, are both major sins themselves. The

holy Quran very vehemently condemns this sin. (Huqooquz-Zawjayn page 344)

Contention between men spurred by women

At times, the disputes between women are very serious indeed. They tend to inform their menfolk about their internal problems and disputes. They tell their husbands etc. that so and so verbally abused me in this way and so and so had this to say about you. Men are after all "hot-blooded" and they are very sensitive to such things. This is not confined to words alone. They eventually seek physical vengeance which can perhaps lead to aggressive violence and murder. (Insidaadul-Fasaad page 327)

An evil habit of some women and domestic feuds

Women, on the slightest pretext, have a habit never to forget about certain things, even if it is something totally trivial. They will continue finding some cause or another for picking a quarrel and dispute. Their malice never seems to leave them. Not a single home is saved from this evil malady found amongst them. Mother and daughter quarrel with one another, mother-in-law and daughter-in-law are always at loggerheads with each other and sisters-in-law, it seems, were created for this very purpose.
When analyzed, the basis of these disputes is merely unfounded apprehension and mistrust. The slightest suspicion leads her to draw conclusions and start fighting with others. When the other party sees it coming their way, there is now an even greater scope for dispute. If the whole dispute is checked into carefully, it appears that it flared up merely because she was told that so

and so had some complain or the other about you....If only she rejected this saying: "No! That woman won't say anything like this about me."

Most domestic feuds flare up mainly due to such trivial squabbles. When a woman hears of another lady speaking ill of her via a third person, she should avoid listening to the third person and approach the other woman directly and ask her if she has any complain about you.

It is also a Sunnah practise to approach a person directly if you have any grievance against him. The other party will be able to address the problem directly and if the grievance is baseless then the problem will be averted.

Taking mere hearsay into account and passing judgement according to it is totally prohibited by the Shariah and it also constitutes *Jahaalat* (ignorance). The Holy Quran declares: "Beware of suspicion because some forms of suspicion is a sin." Rasulullah *Sallallahu Alayhi Wasallam* is reported to have said: "Beware of suspicion because suspicion is the worst form of lies."

Our entire live's experience proves that mere hearsay is very rarely true. One person says that if the incidents narrated by people who have no personal interests nor are they habitual liars were to be analyzed, not even a quarter of those incidents would be true. One can then imagine the worth of that narration in which the narrator has some personal interest.

Most domestic feuds are caused by the narrations of such evil-minded women. Their reports are totally baseless. One of the ladies narrating the incident will add on her own words whilst the third person will "season" it up with her own "spices". In this way the incident is blown out of proportion thereby justifying some feud or quarrel.

This is likened to a person who is all alone at night in a jungle.

He is extremely fearful of a lion. When he focuses his attention on a tree it looks like a lion to him. As he continues examining it, he imagines himself looking at its facial features as well. Now he thinks that it is really a lion whereas it is nothing in reality. It all stems from imagination and delusion. Similarly, hearsay is a delusion of the heart. The narrator adds on a bit of spicy words. Moreover, the addressee herself is also pre-disposed to listen to fault-finding and backbiting. On the slightest pretext she will refreshen all the past incidents and ascribe all her delusions to virtual reality. Now she feels she has some ground to justify her annoyance and grumbling. (Ghawaailul-Ghazab page 224)

Even eye-witness reports of some women are not reliable. Many of them are outraged over certain things they witness being carried out by their sisters-in-law (husband's sister or husband's brother's wife). However, when she is told that what you understood is not exactly true and the truth of the matter is this, she gets even more furious. "You think I am still a child?" She says. "You think I don't understand? No! She (my sister-in-law) did that to infuriate me!" Repeated explanations would be to no avail. The perception she first harboured will never change. Thereafter she will continue building layer upon layer of misconceptions and delusions upon her very initial perception of events. Now in a few days mutual discord between the two parties will erupt leading to intense backbiting and tale-bearing between them. None of them will leave any stone unturned in criticizing and ridiculing the other. These events were the repercussions of anger. Women tend to be overcome and subdued by their anger. (They are short-tempered by nature.) [Ghawaailul-Ghazab page 225]

The anger of the sister-in-law and her excesses over her brother-in-law and other orphaned children of the household

It happens in many places that when the senior person of the household dies, he leaves behind, together with big children, minor children as well. The minors are left behind in the care of their elder brothers. The brother's wives in turn are charged with the task of upbringing these minors because it is the women who remain at home for most part of the day whilst the men remain outdoors. The sister-in-law ejects her malice on these poor kids. Her maltreatment includes beating them, verbally abusing them, tantalizing them, rationing their food, total disregard towards their clothing and treating them worse than servants. She won't suffice with this alone. As a form of "securing her future" she will lay false grievances against them before her husband. In short, it is rather difficult to outline the inhumane treatment she confronts them with.

I address this to the menfolk as well. They should personally monitor the orphaned children as well. Avoid believing in everything the women complain about. It is an accepted fact that the relationship between the wife and husband's brother (or sister) is one of repugnance. So what weight will her grievances hold against them? Due to her estranged relationship, she is bound to lodge baseless complaints against them. In my personal opinion, I advise the men to declare very vehemently to their wives on such occasions that they will under no circumstances adhere to their complaints even if they are speaking the truth. I am not telling this to all the men. Many of them are "men" in the true sense of the word and they make total use of their intellectual capabilities on such occasions and they consider such conditions of staying together as the "living

together of lambs and wolves." Wherever there is a gathering of wolves and lambs, the wolves will subject the lambs to nothing but harassment and torment. The wolves will never show pity to or support the lambs.
Don't harass the (younger) brothers on the word of the wife. How aptly did a person comment on the condition of the orphaned children when he said: "The orphaned children are not even counted amongst the living. They died with their parents." What show of gallantry is there in beating the dead? Irrespective of the amount of love and care you display towards them later on, you will never be able to console their dejected souls. A degree of dismal depression and cheerlessness normally looms over an orphan. Make two children, an orphan and a non-orphan, sit together and place something before them. Tell them that whoever picks up this item first will be considered the owner. Be rest assured that the orphan won't stretch his hand out towards the item because his heart has become insensitive towards any form of joy and happiness. (Ghawaailul-Ghazab page 227)

The most suitable strategy for avoiding hostilities

1. The men should avoid believing in everything the womenfolk say. Also, the women should avoid saying such things which will infuriate the menfolk.
2. When listening to any complaint, reflect over the possibility that the complainants (the ladies of the household in this case) probably "spiced up" one thing with ten others.
If you witnessed the incident with your very own eyes and you wished to take revenge, you would have taken revenge for just one evil. However, (if you rely on their word) you might end up taking revenge for ten evils. One can then imagine the

repercussions of such a move. This can be likened to where a person damages our property to the value of one rand and we in turn damage his property to the value of ten rand. When this case reaches the court of law, we will be guilty even though the other party initiated the problem.

If you heard that somebody was backbiting about you and you in turn backbite about him as well. This is now tit for tat and the score has been settled. If we were to assume that such a reprisal is fair in terms of the quantity - one spoke ill of the other and vice versa - then too there is no peace of mind. Your backbiting may be relatively worse in terms of its magnitude. It might even increase in the future. Many a times when one develops wickedness within the heart against another party, he is not content with taking revenge for the initial cause of the problem alone. Reprisals and revenge will not eradicate the wickedness from the heart. In fact, he will develop rancour or jealousy within his heart. And rancour (malice) and jealousy is characteristically worse than backbiting. In regards to jealousy the Hadith warns: "Jealousy devours good deeds just as fire devours wood." So the evil that has entered your heart in retaliation of his backbiting is characteristically worse as it even annihilates all your other good deeds as well. On such occasions, employ your faculty of reasoning and think against the desires of your soul. Contemplate over the fact that if you fell into all these sins only as a form of a reprisal against his backbiting, what evil repercussions can follow. Mull over this fact and develop some fear within the heart. (Ghawaailul-Ghazab page 224)

The most appropriate strategy for avoiding domestic disputes

The best strategy for avoiding any domestic problems is to ensure that a few families (or a few women) do not live together in one house. A few women living together under one roof is a cause of many problems. (Malfoozaate-Ashrafiyyah page 27, Al-Insidaad lil-Fasaad page 327)

It is safer not to deal with one's own family members

A famous saying goes: "Live like brothers and deal like strangers." However, dealing with brothers, albeit like strangers, is a bit difficult nowadays. So I have amended this saying slightly thus: "Deal with strangers and live (amicably) with the brothers." In other words don't even deal with the brothers. On many occasions it has been witnessed that dealing with family members creates a lot of problems. (Relationships are soured, injustices are committed etc.) and one may suffer loss as well. (Malfoozaate-Ashrafiyyah page 234, Husnul-Azeez page 595)

CHAPTER 8

Household responsibilities

The responsibilities of the household rest upon the women

According to the Hadith: "A woman is the guardian of her husband's home and children and she will be questioned about them." In other words, she has been awarded some authority over her husband's home and children and she will be called to account for all this (on the day of judgement.) [Huqooqul-Ba'yt page 15]

Some women refuse to carry out any domestic chores nor do they monitor the affairs of the household. According to the Hadith, a woman is the governess of her household. She will be questioned about the running of the household. Lack of household supervision leads to theft etc. Be very particular about this. Don't leave your responsibilities to others. (Huqooquz-Zawjayn Page 15)

Many wives are under the impression that the only rights the husbands have over them is to ensure that his food is cooked, bed is made at night, check his clothing when it goes and comes from the laundry and put the clothes away etc. Apart from this, nothing else is considered to be the husband's rights. If there are any children, only their toilet demands will be attended to. This also when there is no servant available in the home. Otherwise the servant has to attend to these needs as well. The lady of the household is grossly negligent of the whereabouts and conditions of the children. If a maid is available to do the cooking as well, then the lady is not even aware of what's happening in the kitchen as well. Now the maid has total control of the household. She is at liberty to do as she wills. In short,

some women have no concern whatsoever for their husband's property. (Huqooqul-Ba'yt page 18)

Domestic chores is also a form of Ibaadat

Overcome with religious zeal and fanatical piety, some women tend to take a Tasbeeh and sit on the Musalla (prayer mat). The responsibilities of the household are consigned to the maids and other domestic servants. This is not a very good approach. Supervising the household and protecting the husband's property is *Fardh* (obligatory) upon the wife. Such an approach is bound to create shortcomings in fulfilling this religious obligation. What is the benefit of her optional (nafl) salaah, Tasbeeh etc. if her compulsory dues are suffering drawbacks? Hence, avoid being so fanatical with your piety that you pay no attention to the house whatsoever. Observe your optional Salaah, Saum etc. in a manner by which you are able to fulfil the rights of the household as well. For you as women, this also forms part of Deen because you are being rewarded for taking care of the household. If your intention is that Allah Ta'ala has charged me with the responsibility of protecting and supervising this home and I am fulfilling His command, then you will gain the Thawaab (reward) for doing your domestic chores as well. However, don't get so absorbed with your household work that the Deen is totally neglected. Be moderate in whatever you do. Zikrullah can be observed even while you are performing your household chores. You are not really obligated to sit on a Musalla with a tasbeeh to observe the Zikr of Allah Ta'ala. A hadith commands: "Keep the tongue wet with the Zikr of Allah Ta'ala at all times." And obviously the Tasbeeh and Musalla is not always with a person. Hence, Zikrullah is not confined to any restrictions of this nature. It could be carried out at all times

and conditions. (Huqooqul-Ba'yt 54)

Eradication of a misunderstanding

Some women may probably be very excited over the prospect of Dunya also becoming part of Deen, as explained in the aforementioned paragraphs that household chores with the correct intention also forms part of Deen. They suffice by observing no other form of Ibaadat and suffice with preparing food and doing household chores under the misconception that since this is also Deen, there is no need to observe any other form of Ibaadat like Salaah, Saum etc. This is why I had explained that such things (household chores etc) are not acts of devotion on their own. They will not take the place of Salaah and Saum etc....

Remember that Salaah, Saum etc. are acts of devotion on their own right whereas household chores and other such acts are not acts of Ibaadat on their own. They are only affiliated to the Ibaadat (in terms of the reward). They cannot take the place of Salaah, Saum etc. What a world of difference between Salaah, Saum and household chores.

These household chores form part of Deen and constitute an Ibaadat from a different angle altogether. These chores become an Ibaadat subject to the correct intention. And the intention should be that I, as a wife, am serving my husband and trying to comfort him in order to fulfil his rights upon me. Subject to this intention, even worldly matters turn out to be Deen. (Huqooquz-Zawjayn wa'z: Al-Aaaqilaat ul-Ghaafilaat page 320)

Performing household chores personally in spite of the presence of maids

Those who have been blessed with maids and other domestic servants should do some of the housework with their own hands as well. It should not be such that you relax the whole day without doing any sort of work. In so doing the habit of working diminishes and one turns out to be dependant upon others all the time. Working (in the household etc.) ensures that the habit of hard work is retained. Apart from this, hard work is quite conducive to the maintenance of good health and physical strength. A hadith says: "A strong believer is better than a weak believer. Nonetheless, all of them have goodness in them." It would be rather courageous of you to attend to the household chores as well. Take the services of the maids and servants under your personal supervision. And now and then do the work with your own hands as well. Together with this, spare some of your time to engage in the observance of optional Salaah, Tasbeeh etc. If time is limited, you may engage in Zikr whilst carrying out your daily chores. (Huqooqul-Ba'yt page 55)

Household chores are beneficial for the women themselves

A person commented to Hadhrat Thanwi Rahmatullahi Alayhi that the women are exhausting themselves doing so much of housework. They refuse to sit at ease even for a minute. Hence, they themselves don't seek their own comfort. To this Hadhrat replied: "Hard work of this nature is beneficial to them as well. Hard work maintains sound health. For instance, cooking, pounding, grinding with the millstone etc. is very beneficial to them. Even in my own home, the ladies carry out all the work with their own hands. Where there is a need, they may even

grind a bit of wheat on their own. So if the women take upon these difficult, though beneficial, chores out of their own free will, it is another matter altogether. However, mercilessly imposing difficult housework upon them is cruel and uncivil. (Hasratun-Nisaa page 550)

Since the ladies abandoned household toil, their health has suffered a severe blow. They are always on some medication or the other. The nations which, to date, still uphold the old custom of the womenfolk toiling hard, can boast of sound health. May Allah destroy the pride of those women who refuse to do housework. Apart from the sin they are committing from a religious angle, they are also suffering worldly loss in that they are suffering from poor health. (At-Tableegh Dawaaul-Uyoob volume 4 page 92)

The responsibilities and shortcomings of women in household chores

Many women say that their washer ladies are very trustworthy. The washer ladies count the clothes themselves when taking them for washing. As a result, the clothes are neither checked when sending them in nor when they are received. The women rely totally on the trust of the washer lady. She is given total authority; she may do as she pleases.

Some households do keep track of the clothes they hand in for washing. However, all they do is write the total number of articles with charcoal on the wall. In one house I've been to, the entire wall was blackened with charcoal. The figure written on the wall is not reliable because it can get erased very easily. The figure can be amended by the washing lady herself. Many a times there is a dispute between the house folks and the washing lady and both parties are unable to substantiate their claims.

Finally, the house people submit to the demands of the washer ladies.
The most simplest method to overcome this problem is to record all such transactions in a book or board which stays in your own possession. This is adequate protection against any possible disputes over any shortfall. However, there is no such consideration in the homes today simply because the women don't deem this to be their responsibility. (Huqooqul-Ba'yt page 18)

The indispensability of clear-cut transactions

Allah Ta'ala commands us to write out all transactions. However, nowadays people consider it a wrong-doing. A person who writes out all his transactions and keeps written track of all his affairs is accused of being a very suspicious and apprehensive person. Quite often one does not recall who took what from him resulting in dire problems. (Husnul-Azeez volume 2 page 364)
Even if it is a seemingly trivial matter, it should be recorded as this proves extremely beneficial. Also, it clears any doubts a person may develop within his heart. (Al-Ifaadhaat volume 9 page 347)
Maintaining clear-cut transactions is a very commendable habit. When repaying or receiving a loan, write the details out immediately. Or for instance, when giving clothes to the laundry, write out what you have given. This will ensure that there is no error etc. Another benefit of recording everything is that even if the records are somehow misplaced, you still have some awe over the laundry man and he will return all the clothing correctly. Writing and keeping record of all one's affairs is a great bounty of Allah Ta'ala. (Al-Ifaadhaat volume

9 page 350)
A very busy person should avoid relying on his memory. He should write out all important matters. (Husnul-Azeez volume 1 page 592)

Household chores, cooking etc. - compulsory upon the women or not?

One Maulana used to say that it is obligatory upon the women to prepare food for their husbands. According to me, it is not obligatory upon them. I substantiate this view from the verse: "And among the signs of Allah Ta'ala is that He has created for you wives from amongst yourselves so that you may dwell in tranquillity with them and He has brought about love and mercy between you."
In short, they were created for a specific purpose; to bring about tranquillity and calmness within the heart. They are there to amuse and cheer you, not to make roties for you.(Nusratun-Nisaa page 551)

Preparation of meals - a religious obligation upon the wife

A person once asked Hadhrat Thanwi Rahmatullahi Alayhi if the wife is compelled to cook for her husband. Hadhrat replied: "Religiously she is compelled to prepare the food, not judicially. If the husband requests her to prepare food, she is religiously obligated to obey him. This is corroborated by the Ahadith. In one Hadith, Rasulullah Sallallahu Alayhi Wasallam is reported to have said that if the husband commands his wife to take a rock from the black mountain to the white mountain and a rock from the white mountain to the black mountain, she should do accordingly."

This is the extent to which she is compelled to accede to his commands. Preparation of food etc. is obviously of a much lesser degree than this. (Husnul-Azeez volume 3 page 312)

CHAPTER 9

Section one

The rights of the wife

Friends! since Allah Ta'ala Himself has instituted the rights of women, who has the authority to change them? If the husband fails to fulfil their rights, he will be guilty of trampling the rights of fellow humans. Men should ponder over the most exquisite manner of how Allah Ta'ala intercedes on behalf of the women. Allah Ta'ala says: "And treat them (the women) with kindness, if you take a dislike to them, it may be that you dislike a certain thing and (whereas) Allah Ta'ala brings about through it a great deal of good."

Obviously, many factors can contribute to disliking them. However, the main factor which brings about a dislike towards them is their offensive character. And this is really disturbing and obnoxious to a man. However, it is as though Allah Ta'ala promises you, the men, that He will ensure that their offensive character etc. will be a great deal of goodness for you. Allah Ta'ala is all-wise; He has the capability of doing everything. For instance, Allah Ta'ala may bring forth from this woman some children who will assist you on the day of judgement.

Examine very closely the verses I have recited on this topic and judge for yourself the clarity with which Allah Ta'ala institutes the women's rights. (At-Tableegh Kisaaun-Nisaa volume 7 page 120 & 126)

Summary of a wife's rights

The following is a list of a wife's rights over her husband:

(1) To confront with exceptional character and to treat her with kindness.

(2) To endure patiently, albeit with moderation, all her excesses and harassment.

(3) To be moderate in one's ghairat[3]. In other words don't become suspicious of her nor remain totally ignorant.

(4) To be moderate in spending upon her; avoid being niggardly nor permit her to be extravagant.

(5) To learn and teach her the Masaail (propositions) of Haidh (and other masaail exclusively related to women) and to emphasise the institution of Salaah and other tenets of Deen and to prevent her from Bid'aat (innovations) and religious prohibitions.

(6) To maintain equality between the wives.

(7) In keeping with her needs, to have sexual intercourse with her.

(8) To refrain from coitus interruptus without her permission.

(9) To provide her with her house sufficient enough to attend to her needs.

(10) To allow her to meet her close relatives such as her parents, father's brothers, father's sisters, her own brothers and sisters etc.

(11) To abstain from disclosing her intimate and personal habits, such as her sexual preferences etc.

(12) To refrain from beating her excessively.[4]

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[3] Ghairat is an arabic word which refers to a spirit of possessiveness or sense of honour particularly when the wife speaks to or is involved with strange men. This attribute, although scorned upon by the western world, is quite acceptable in Islam.

[4] This in no way implies that he must beat her. Although he is permitted to beat her, the best is to abstain from lifting the hand upon this weak creation of Allah Ta'ala. (Tr)

(13) To desist from divorcing her unnecessarily.
Both spouses have numerous rights upon one another. I have written down whatever has come to mind. I have extracted these from Ihyaaul-Uloom etc. (Imdaadul-Fataawaa volume 2 page 185 question 278)

Why the wife's maintenance is Wajib

The Fuqahaa (jurists) are explicit over the fact that maintenance is also awarded in lieu of confinement or restraint. In other words, a person who is confined to the services etc. of another person and due to this confinement he is unable to earn a living for himself, the person confining him is compelled to attend to his upkeep and expenses. This can be likened to the meals provided to the witnesses. The witnesses are confined to the task of testifying on behalf of the defendant or plaintiff. Hence, they will be provided with meals during those times. The rulers of today have retained this Islamic law until this present day. In short, the maintenance awarded to the wife is in lieu of the restraint placed upon her. (Islaahe-Inqilaab page 191)

When does maintenance become obligatory?

The only condition for the obligation of maintenance is the surrender of the wife before her husband. In other words, she wholly submits herself to her husband without any shortcoming on her part. However, on valid grounds if she refuses to do so, for example, the husband has not as yet paid the agreed cash *mahr*, she will still be eligible to claim maintenance because the shortcoming is on the side of the husband, not the wife. Nonetheless, if she defiantly leaves the husband's home, she will not be eligible to claim until she returns. Some women flee to

their parent's home following a row or contention with their husbands. Whilst there, they claim maintenance. Remember, maintenance is not Wājib (obligatory) upon the husband whilst she defiantly remains at her parent's home. (Islaahe-Inqilaab page 182)

Minor or senior - the wife's maintenance is obligatory

If the wife is so young (physically immature) that she is unable to endure intercourse but she is big enough to stay with her husband, amuse him and carry out some odd jobs for him, he is compelled to financially maintain her if she submits herself to him.

However, if she has not as yet reached such an age - as prevalent amongst certain nations where the children are married off at a very young age - her maintenance is not compulsory upon her husband whilst she is still a child. A minor girl who is not physically fit for intercourse and she is presently only fit to offer her husband congenial company and a bit of odd jobs, her husband is not compelled to keep her in his own house. He is at liberty; he may keep her whereupon he is compelled to maintain her or else he may not keep her whereupon he is not compelled to pay her maintenance.

Amongst some nations, a minor boy is married off to a senior woman. The boy is presently not fit for anything but since the woman has submitted herself and the shortcoming is on the part of the boy, maintenance will be compulsory upon the boy. In this case, if the boy owns property or cash, the maintenance will be paid from his own wealth. (Durre-Mukhtaar - Islaahe-Inqilaab page 182)

Maintenance is Waajib regardless of the wife's affluence or poverty

Some people are of the opinion that the wife's maintenance will only be Waajib if she is poor and if she is wealthy, she is not eligible to receive maintenance. This is totally erroneous on their part. Maintenance is compulsory irrespective of her condition of affluence or poverty. The only condition for the compulsion of maintenance is that there is no shortcoming on her part in respect of submitting herself over to her husband. (Islaahe-Inqilaab page 182)

Separate accommodation also falls within the purview of maintenance

One of the constituents of maintenance is separate accommodation. There is a general misconception amongst many people, even amongst religious people, that it is not compulsory to provide separate accommodation for the wife. She is dumped amongst the husband's relatives or parents. The Shariah decrees that if she is willingly prepared to stay with her in-laws it is fine. However, if she wishes to stay alone, the husband is compelled to provide separate accommodation.
"Willingly" in the above context refers to total pleasure and satisfaction of the heart. If the husband, on some indication or the other, perceives that she wishes to remain separately but she does not express herself verbally, then too he is not permitted to keep her with other members of his family. Nowadays, even if the wife is willing to stay with the husband's relatives and the relatives are dissatisfied with the couple living separately, then too circumstances and prevailing conditions require that it is best for them to live separately. This will put a plug on

numerous problems and complications. The relatives might feel offended for a few days, but they will be satisfied with this arrangement after a few days once they witness its benefits.
However, if he is unable to provide a complete house for her, he may, within a big house, provide just one room sufficient for her needs. In this room she should be able to keep her personal possessions under lock and key and feel free to sit, converse and sit with her husband in total privacy. Such a provision is sufficient to fulfil the Waajib obligation.
The stove (kitchen) in particular should most definitely be separate as the fires of dissension rage from this very stove (kitchen). Some people consider it their great fortune to keep their wives subjected to their mothers. To achieve this end, she is subjected to various forms of cruelty and hardship. Remember well! A woman is not compelled to serve her mother-in-law. If you are noble, serve her yourself or employ a servant to serve her. (Islaahe-Inqilaab volume 2 page 188)

Maintenance according to the affluence and poverty of the husband and where possible, provision of a maid is also waajib

According to your financial capacity, just as you spend upon yourself, permit her to spend upon herself as well. This is the injunction of Shariah.
Some people, in spite of affluent circumstances, tend to be niggardly in the expenses of their wives. They provide so little maintenance that it may only suffice if she prepares the food with her own hands. The scant maintenance provides no scope whatsoever to employ a maid. In fact, if the husband can afford it, he is compelled to provide the expenses of a domestic servant as well.

In destitution, the wife is compelled to do all the housework herself

Some women display erratic behaviour in that they demand a domestic servant in spite of the husband's poverty. The husband is not compelled to provide a servant if he cannot afford it. If the wife is able to prepare the food etc. she should prepare her own meals as well as the meals of her husband. (Durre-Mukhtaar - Islaahe-Inqilaab page 183)

If the wife is incapable of doing household work

If, on the other hand, she is unable to perform household work - either due to some illness or because she hails from a very affluent family - neither is the husband compelled to provide a maid nor is the wife compelled to prepare the meals. In fact the husband will be ordered to provide cooked meals either from the shops (restaurants etc.) or wherever else. (Ibid)

Extra expenses for fruit, paan etc, is not binding upon the husband

Some women tend to squander their husband's wealth mercilessly. They consider it compulsory upon the husband to provide the money for their useless expenses and luxuries such as paan and betel-nut etc. Some women have a habit of tea or coffee and they not only consume themselves but provide these luxuries, from the husband's wealth, to their friends as well. They consider such provisions to be binding upon the husband whereas the Fuqahaa (jurists) have explicitly mentioned that the provision of coffee, tobacco, seasonal fruit etc. is not necessary upon the husband. If she has the habit of coffee, tobacco etc. and

quitting the habit will be detrimental to her, then too she should not demand the money for these habits from her husband.
Whatever expenses the husband gladly assumes and takes the responsibility to provide wholeheartedly, it is his favour unto you. Nonetheless, the honour of the husband demands that if he is financially favoured by Allah Ta'ala, he should not be reluctant to provide certain comforts for his wife. However, it does not befit the wife to harass her husband in return of his favours upon her.

The exigency of polite behaviour

According to the financial status bestowed upon you by Allah Ta'ala, spend upon her just as you spend upon yourself. Shariah decrees that as far as possible, make her comfortable and keep her gratified. Don't impose any difficulty whatsoever upon her. When giving her money (as maintenance, or household expenses etc.) be very lenient and liberal with her. Endeavour to please and console her and exercise tolerance upon her tormenting excesses. Muslims should always endeavour to treat their wives according to the Sunnah of Rasulullah Sallallahu Alayhi Wasallam. (At-Tableegh volume 7 page 140)

Provision of extra clothing for Eid, weddings etc. is not compulsory upon the husband

Another deficiency very common amongst women is that they will have heaps of clothing in their trunks (or cupboards) but this wouldn't deter them from requesting their husbands to get more clothes made for them. Remember that as long as you have (old) clothing provided by your husband, he is not compelled to get a new set of clothing made for you. Similarly, making new

clothing for Eidul Fitr, Eidul Adha and weddings etc. is not the responsibility of the husband. However, if he does provide for you, it is a great favour of him upon you. (Islaahe-Inqilaab volume 2 page 185)

Zakaat, Sadaqatul-fitr, Qurbaani etc. on behalf of the wife is not compulsory upon the husband

The husband is not compelled to pay Zakaat on his wife's jewellery or to pay her Sadqatul-Fitr, make Qurbaani etc. on her behalf. However, in view of such occasions, it is most appropriate for the husband to give his wife, according to his financial capability, a little more than the necessary expenses. This extra amount will enable the wives to pay their Waajibaat (compulsory dues). However, he is not compelled to do this. If he does not provide extra money, she should sell part of her jewellery to meet these compulsory expenses. Without her husband's consent, she is not permitted to spend any part of his wealth in fulfilment of her monetary dues. Women are very apathetic towards this. In fact they don't even doubt its prohibition in the least bit. (Islaahe-Inqilaab page 186)

Prohibition regarding the disbursement of charity from the husband's wealth without his consent

According to the Hadith, Rasulullah Sallallahu Alayhi Wasallam says, it is not permissible for the wife to give anything without the consent of the husband. According to another Hadith, in her husband's home, a woman should not give away anything (in charity) without his consent. Rasulullah Sallallahu Alayhi Wasallam was then asked: "She is not even permitted to give food to anyone?" He replied: "Food is the most superior form of

wealth." (Jam'ul-Fawaaid)

In another Hadith, whilst encouraging the women to give in charity, Rasulullah Sallallahu Alayhi Wasallam employed the words: "from their own jewellery." He did not say "from the jewellery of their husbands." In other words, the encouragement of charity applied to the women's own wealth and not the wealth of the husband. (At-Tableegh volume 7 page 39)

From the above we deduce that even on occasions of religious disbursements, like giving from the husband's wealth to a beggar, donations to a madrasah etc. or to financially serve an aalim, lecture, orphan, widow etc. is not permissible without the husband's consent. In fact such charities are not even accepted in the court of Allah Ta'ala. According to the Hadith, Allah Ta'ala is pure and He only accepts pure (charities etc.) [Islaahe-Inqilaab volume 2 page 185)

Purchasing from the husband's wealth without his consent is prohibited

Similarly, some women have a penchant for unnecessary and frivolous things. The moment they take a liking to something, they purchase the item and continue to amass a whole heap of unnecessary possessions. However, what is quite surprising is that those items are never put to any use nor are they cared for, ending up in those items being wasted away and ruined. She will be taken to task on the day of Qiyaamah for squandering her husband's wealth in this manner. Similarly, she is not permitted to make clothing for the occasions of Eidul Fitr, Eidul Adha, weddings etc. from his wealth without his consent. (Islaahe-Inqilaab volume 2 page 185)

Section two

Spiritual maintenance

The husband is compelled to provide spiritual nourishment

The definition of spiritual nourishment:
In this context, spiritual nourishment refers to religious education and spiritual upbringing. In the aforementioned chapters physical and materialistic maintenance (such as the provision of food, clothing and shelter) was discussed. Within the parameters of maintenance, there exists something like spiritual maintenance as well. And that is, the rights of religious education and spiritual upbringing in favour of the wife and children.
Just as the physical upbringing of the children and other dependents is necessary upon the husband, similarly, their spiritual upbringing - with the aid of religious knowledge and techniques of spiritual reformation - is even more necessary.
The Quran explicitly commands:
"Save yourselves and your family members from the fire (of Jahannam)."
The Hadith of Rasulullah Sallallahu Alayhi Wasallam declares:
"Every one of you is a shepherd (guardian) and every one of you will be questioned (on the day of Qiyaamah) about his flock (subjects and dependents)." [Islaahe-Inqilaab page 194]

Widespread apathy in regards to spiritual maintenance

There are various deficiencies found amongst people in this regard. The first and foremost deficiency is that many don't even consider it necessary. They wouldn't point out to them a single

religious proposition nor will they prevent them from any evil deed. They are smug in the belief that they have provided their families with basic expenses and now they are relieved of their responsibilities. (Islaahe-Inqilaab volume 2 page 195)

Men are generally only concerned with a few materialistic rights in favour of their wives such as the provision of food, clothing and jewellery.

The only rights men consider to be really binding upon them in favour of their womenfolk is the provision of food, clothing, shelter and jewellery. If they do fall sick, medication is provided and at times certain other requests are attended to. In short, they believe that only worldly or materialistic rights are binding upon them. They don't consider religious rights binding upon them in favour of their women. For instance, the husband comes home and asks if the food is ready but he never asks if his wife has performed her Salaah or not. When he comes home to eat and the food is not ready as yet or the food is not upto his liking, he becomes extremely furious with her. On the other hand, if he learns that his wife hasn't performed her Salaah as yet (or hasn't paid her Zakaat as yet), the husband is not displeased with her in the least bit nor will he become angry with her. In fact, some men couldn't care less even if she refrains from performing her Salaah (or paying Zakaat) for her entire life. (Huqooqul-Ba'yt page 17, 19)

The importance of spiritual maintenance and the approach employed

Alas! We pay no due consideration to her religious rights; neither to her Salaah nor to her Saum (fasting). We don't even tell them about such things. Remember that on the day of judgement you will be questioned about the extent of your

endeavour regarding the piety of your wife and children. However, this in no way implies that you should go overboard and keep a stick with you all the time. First explain to her in very mild tones. Thereafter express a bit of anger and grief over her actions. Insha Allah, this method will make a lasting impression. Make them read or read to them religious Urdu (or English) booklets. This will ensure that they maintain better morals whilst improving their Deeni (religious) nature at the same time. However, if they are not prepared to read books on their own, then, as I have mentioned many times in the past that you fix a certain time daily in which you read to her Bahishti Zewar[5] (or any other beneficial book after consulting the Ulama). In the beginning, don't even ask her to come and listen to you. Just start reading aloud and she will, Insha Allah, come and listen to you eagerly. With this method, all complaints finally come to a standstill. Women are prone to be more readily influenced. If Deeni (religious) literature is read to them, their morals and spiritual status can, Insha Allah, be set right very swiftly indeed.

Men tend to complain a lot about their women; that they are very rudely-mannered, ignorant etc. but they should turn their gazes of criticism to themselves for a while and determine the conduct they themselves have meted out towards these women. In short, men have only sought their own comforts from these women without the least bit of attention towards their Deen. No doubt, the women may be at fault, but the men are also to be reproached for their apathy towards the spiritual enhancement of their womenfolk and their trampling of their (the women's) Deeni rights. (Huqooqul-Ba'yt page 46)

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[5] Available in English from the publishers of this book.

Deficiency of the 'learned' in spiritual maintenance and the method of reforming the womenfolk

Those who are referred to as religious and do have some concern for the spiritual well-being of their womenfolk tend to admonish them merely in passing. They might just tell them perform your Salaah, it is a great sin to omit Salaah," etc. The men are then under the impression that (by them uttering such hollow statements to their wives) they are absolved of their responsibilities. When he is questioned as to why he fails to admonish his wife for refraining from Salaah, he submits: "I have told her to perform Salaah, but what do *I* do if she refuses to perform her Salaah?"

However, tell me with utmost sincerity and honesty if you admonished her in exactly the same intensity as you would if the salt is a bit extra in the food? If she was not careful in adding the correct amount of salt after you told her a few times, did you then remain silent just as you did after admonishing her for Salaah after a few times? Never! If she adds on a little extra salt, you are prepared to crack her skull and you become so furious with her that she eventually becomes extra-vigilant in ensuring that the salt is of the right quantity.

Friends! You have never admonished your wives for the omission of Salaah in a manner that portrays to them that you are extremely furious with them. If you expressed your anger as you do in the aforementioned case, she would most definitely be conscious of her Salaah. If she does not become regular with her Salaah after your first round of admonishment, you should admonish her a second time, a third time and continue admonishing her until she becomes regular with Salaah. You should employ various methods of portraying your anger towards her evil actions. For instance, you may refrain from

sleeping next to her, or refrain from partaking of the meals prepared by her etc. When your once-off anger had no effect on her following the excess salt in the food, you didn't remain silent but you admonished her repeatedly. You didn't sit back and say: "Oh well! I've told her repeatedly but to no avail. She is adamant and refuses to adhere, so I might as well remain silent." Be honest about it; do you console yourself and sit put in matters regarding food just as you console yourself and sit smugly about matters relating to Salaah? Never! This is definitely a grave deficiency. If you wish to make your wife regular with Salaah, it is not a very difficult task because the wife is not the chieftain but the subject. When his personal interests are at heart, he rules over her with authority but he fails to employ the same authoritarian rule in favour of Deeni matters. This is surely a very grave deficiency. (Huqooqul-Ba'yt page 20)

SECTION THREE
Additional rights of women

Apart from normal expenses, pocket-money is also an additional right

Give the wife a certain amount every month which she may spend at her leisure as and when she pleases. This amount is normally referred to as pocket-money. The amount may be calculated according to the individual financial status of the husband and wife. For instance, a Rupee, two Rupees, ten or fifty - whatever is convenient. Give her this amount separately and specify very clearly that the other amount is for the house expenses and this amount is your pocket-money for your personal use. You may spend it as you please.

Once this amount is given to her separately, you wouldn't feel ashamed in telling her that the amount given to her for the normal house expenses is a trust. A person (particularly a woman) has numerous personal expenses. Hence, if she is not given 'pocket-money' separately she will be compelled to misuse the trust (normal house-money) given to her. Thereafter, any form of harshness towards her will be tantamount to cruelty and pitilessness. (At-Tableegh volume 7 page 46)

The need for pocket-money

Since Deeni and worldly expenses do continue cropping up and since women don't normally have their own wealth (nor personal income), it is most appropriate for the men to give their wives, apart from the necessary household expenses, an affordable amount for such expenses. The men should not ask them to account for that money so that the ladies may spend that amount freely whenever such personal expenditure occurs.
Also, it is not binding upon the husband to pay Zakaat on his wife's jewellery, nor is it obligatory upon him to perform Qurbani or to pay Sadaqatul-Fitr on her behalf. Therefore, if the ladies receive some sort of allowance, it would be much easier for them to pay such compulsory dues on their own. However, such an allowance is not compulsory on the husband. If he does not give her an allowance, she should sell part of her jewellery and pay all her monetary dues. She is not permitted to spend any part of her husband's wealth in payment of her own monetary dues without her husband's consent. Many women are totally incautious in this regard. They consider their husband's wealth as their own. This is totally erroneous and wrong. (Islaahe-Inqilaab volume 2 page 168)

To gratify the wife and to exercise patience over her excesses is also her right

A woman's right is not only confined to financial support but she also has the right to be gratified and cheered. A Hadith mentions: "Be courteous and pleasant with the women because they are 'prisoners' under you." And if a person is at the total mercy of someone and he is harsh unto him, it is rather callous and unmanly of him to do so.
Gratifying her in this context means that you should not say anything that may hurt her feelings and upsets her. Provision of food, clothing etc. and other limited rights are all well known and these rights are very restricted. Gratification (in favour of the wife), on the other hand has a very vast meaning. It cannot be restricted. Basically, it means that you should not do anything that hurts her (either emotionally or physically). How can such a right be restricted. It can never be restricted to a few rules and regulations. Hence, we can safely deduce that the rights of women are unlimited and unrestricted. (Kisaaun-Nisaa At-Tableegh volume 7 page 122)

Speaking lies in view of gratification

A wife's rights are not restricted to her physical needs of food, clothing etc. but to make her happy is also necessary. The *Fuqahaa* (jurists) have went to the extent of saying that it is permissible to speak lies just to make the wife happy. From this we can deduce the emphasis laid down upon the gratification of the wife. And from this we can also deduce the importance of a wife's rights that even Allah Ta'ala has waived away His right

in favour of gratifying the women.[6] (Malfoozaate-Ashrafiyyah page 364)
Another reason to keep them happy is they should not feel that if we were not conforming to Purdah (Hijaab) regulations, it would have been much easier for us to carry out all our work just as the other non-observers of Hijaab do. Therefore, you should serve them and attend to their needs in such a manner that they now believe that, had they not observed Hijaab regulations, you wouldn't have served them in this manner. In other words, the man should conduct himself in such a manner that the women consider Hijaab as a source of comfort and ease and they don't get tempted to abandon the Hijaab altogether. (Al-Qaulul Jaleel page 76)

The method of gratifying them

The women should no doubt remain in Hijaab but they should also be provided with some means of gratification. It should not be such that when the husband goes out for Salaah, he locks the door from the outside thereby locking her in; he does not allow anyone to meet her nor does he provide some means of keeping her gleefully occupied. In fact, in the state of Purdah, men should provide such means for the amusement and happiness of their wives that they have no inclination thereafter to step out of the house. However, these provisions should be within the bounds of Shariah. It is something to think about that if men feel lonely or dreadful, they can put their hearts at ease by going out to meet other men and friends. Women in Purdah, how can they ever put their hearts at ease by staying all alone at home?

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[6] Obviously, this will only apply to the permissible acts.

You should stay with her at home or if you do not have the time, then at least leave another woman with her to give her some company. If at any time she complains about something or the other to you, don't feel offended. Who else, apart from you, can she complain to? Consider her bouts of complaining as a form of expression of her love because our women have such love in their hearts for us that, no doubt, their love has reached a stage of *Ishq* (passionate love). [At-Tableegh volume 7 page 126]

Sleeping with the wife at night is also her right

Many of the social rights which Shariah has placed upon our shoulders are generally taken very lightly by some men. For instance, it has been witnessed in some households that the husband cares the damn about his wife. For years on end he sleeps outside in the courtyard and he does not sleep indoors with his wife. He either contracts an illicit affair with some other woman or he continues sleeping all alone outside totally apathetic of his wife's right whereas to sleep with her at night is also her Shari (religious) right. At some places it has been witnessed that the wives are virtually boycotted and shunned aside or the husbands don't come home to sleep merely because of some seemingly trivial mistakes committed by them. (Huqooqul-Ba'yt page 21)

Conversing with her and making her happy is also her right

There are many people who are considered as great Buzrugs (saints) or they are Mureeds of some saint and they are persistently occupied in Salaah, Saum and other forms of Zikr - as though they are purchasing Jannat with these devotions - but they are totally negligent of the rights of their wives.

Remember, it is her right upon you to set aside some time and converse with her and to listen to her grievances and compliments and to gratify her verbally as well. However, everyone, the so called 'Deeni' as well as the 'dunyawi' (worldly) people are all totally negligent of these rights. The main reason for this apathy is that they don't consider such rights binding upon them. They only consider the provision of food, clothing etc. as their responsibility. (Huqooqul-Ba'yt page 21)

Feeding her with your own hand or to purchase something for her just to make her happy is also an act of Thawaab

To feed your wife (with your own hands) is also an act of charity (Allah Ta'ala rewards such an act as well).
To purchase something, even unnecessary, with an intention of making the wife happy does not constitute wastage because to gratify one's wife is also a (shari) requirement. However, no unbearable loans etc. should be pursued to meet this requirement. (Radhaaul-Haq page 122)

Administration of household affairs should be conducted by you or by the wife

I am not issuing a Fatwa (legal Shari verdict) but I will definitely counsel you thus; the administration of household affairs should be either in your wife's hands or in your hands. Do not entrust the affairs to the hands of other family members even though they are your parents or brothers and sisters or else it will be rather heart-breaking for her. Hence, the husband should ensure that he controls the purse-strings of the house or amongst his relatives he should consider his wife the most

eligible. A woman's right is not only confined to the provision of food and clothing. To gratify her is also necessary. (Husnul-Azeez volume I page 424)

SECTION FOUR

The wife's right of pretention or pomposity
Rasulullah's (Sallallahu Alayhi Wasallam) wives' pomposity in his presence

On the occasion of Ifk when the hypocrites slandered Hadhrat Ayesha Radhiallahu Anhaa, Rasulullah Sallallahu Alayhi Wasallam told her: "O Ayesha! If you are innocent, Allah Ta'ala will expose your innocence and if you *are* guilty of making an error, then repent before Allah Ta'ala and seek His forgiveness." This statement made her very dejected and she submitted: "I don't know how to answer you. If I tell you that I am totally innocent - and Allah Ta'ala knows that I am innocent - then your hearts will not accept my innocence. And if I tell you that I am guilty - and Allah Ta'ala knows that I am innocent - then your hearts will immediately accept my confession. Hence, at this point in time, I will say exactly the same thing which Yaqoob Alayhis-Salaam said to his sons: "Patience is better and Allah Ta'ala is the Helper." She then lied down on her bed and started weeping.
At that very moment, certain effects of Wahy (revelation) started appearing on the countenance of Rasulullah Sallallahu Alayhi Wasallam. At the termination of Wahy a little while later, the first thing Rasulullah Sallallahu Alayhi Wasallam said was: "O Ayesha! Glad tidings unto you! Allah Ta'ala has exposed your innocence." He thereafter recited the verses which were revealed unto him. None of those present could contain

their happiness on hearing these verses.
On this occasion, Hadhrat Ayesha's Radhiallahu Anhaa parents commanded her: "Stand up and express your gratitude before Rasulullah Sallallahu Alayhi Wasallam." Her mother told her: "Stand up, O Ayesha! and make Salaam to Rasulullah Sallallahu Alayhi Wasallam." Whereupon she replied: "By Allah! I will not stand up and go to him. I won't praise anyone other than Allah (because you considered me guilty). I won't express my gratitude to anyone apart from Him who exposed my innocence."
Her harsh words employed before Rasulullah Sallallahu Alayhi Wasallam are rather obvious. However, Rasulullah Sallallahu Alayhi Wasallam didn't take offense to this because such words were spurred by amorous (loving) pomposity.
The men should now ponder over the basis for this utterance of Hadhrat Ayesha Radhiallahu Anhaa. What was the underlying reason for this statement? The main reason for this utterance is the genial bond of intimacy and harmony that the wife cherishes for the husband. And the Shariah does not penalize the women for uttering such statements out of amorous pomposity.
If the women did not have this right of being pompous, Rasulullah Sallallahu Alayhi Wasallam would have most definitely admonished Hadhrat Ayesha Radhiallahu Anhaa because her statement was very harsh indeed. Also there is no possibility of Rasulullah Sallallahu Alayhi Wasallam making concessions for anyone in Deeni and Shari laws. This is evident from the following incident:
A woman by the name of Faathimah was caught for theft. Rasulullah Sallallahu Alayhi Wasallam, in accordance to Shari law, issued an order for her hand to be chopped off. The people wished to intercede on her behalf. They chose Usaamah bin Zayd Radhiallahu Anhumaa for this intercession as he and his

father were both very close to Rasulullah Sallallahu Alayhi Wasallam. He innocently went and interceded on her behalf. Rasulullah Sallallahu Alayhi Wasallam became extremely furious and retorted: "Intercession (and ultimate relaxation) in regards to the Shari penal code destroyed the earlier nations." He thereafter said: "By Allah! Even if (my own daughter) Faathimah binte Muhammad had to steal, I would have chopped her hand off." (Abu Dawood volume 2 page 253)

From this we can determine that Rasulullah Sallallahu Alayhi Wasallam did not make any concessions in regard to Islamic law nor was he permitted to do so. Hence, if Hadhrat Ayesha's (Radhiallahu Anhaa) statement was contrary to Shariah, he would never have condoned it and he would have admonished her for doing so. Therefore, we deduce that her statement "I would not stand up and express my gratitude to Rasulullah Sallallahu Alayhi Wasallam and I will only express my gratitude before Allah Ta'ala" was not contrary to the laws of Allah and His Rasul Sallallahu Alayhi Wasallam.

So the wife enjoys such an intimate relationship with her husband that even seemingly harsh statements made by Hadhrat Ayesha Radhiallahu Anhaa were overlooked by Allah and His Rasul Sallallahu Alayhi Wasallam. If her statement was incorrect, he would have taken her to task for it or at least some verse or the other would have been revealed. This is evident in the case where the Azwaaje Mutahharaat (the pure wives of Rasulullah Sallallahu Alayhi Wasallam) asked him for more money. Even in times of extreme poverty they did not make such a request. In fact there were times when they didn't even have water in their houses but yet they did not complain to Rasulullah Sallallahu Alayhi Wasallam. However, following certain victorious battles, when the Muslims started getting a bit wealthy and poverty was slowly being eradicated, they also

desired a bit of comfort and ease. However, this was against the natural temperament of Rasulullah Sallallahu Alayhi Wasallam. Where would he have preferred comfort and ease for his wives when he did not even prefer the same for his own daughter? In fact his Duaa used to be as follows: "O Allah! make the sustenance of the family of Muhammad sufficient only for that day (by which they can at least live). In short, excessive wealth was contrary to his nature. This is why he became very dejected with the request of the Azwaaje Mutahharaat (his pure wives). On that occasion the following verses were revealed: "O Nabi! Say unto your wives that if they prefer the worldly life and its beauty, then come I will benefit you in some way and I will dismiss you in an amicable manner and if you prefer Allah and His Rasul and the hereafter then (remember) that Allah has prepared for the pious amongst you a tremendous reward."

Following the revelation of these verses, Rasulullah Sallallahu Alayhi Wasallam went first to Hadhrat Ayesha Radhiallahu Anhaa and because of her young age, before reciting these verses to her, he told her: "O Ayesha! I wish to tell you something but you should not be very hasty in replying. In fact you should first seek the counsel of your parents before you reply." Thereafter he recited these verses before her. Taken aback by a sudden spell of ardour, she said: "Should I seek the counsel of my parents in such a matter?! I have already preferred Allah, His Rasul and the hereafter." This answer made Rasulullah Sallallahu Alayhi Wasallam extremely happy. Thereafter Hadhrat Ayesha Radhiallahu Anhaa said: "O Rasulullah! Don't inform the other wives about my answer." To which Rasulullah Sallallahu Alayhi Wasallam replied: "If they happen to ask me about it, I will not conceal it."

It is something to think about that Allah Ta'ala prohibited the wives from asking for more expenses but He did not prohibit

them from being pompous. We can therefore deduce that pomposity is not as evil as asking for more expenses. However, nowadays things have gone topsy-turvy. A request of increasing their expenses - which to some extent is reprehensible as well - is not viewed as immorally as her pomposity and free nature is viewed whereas this is not even reprehensible.(Huqooqul-Ba'yt pages 23 - 29)

The amorous pomposity of the Pure Wives of Rasulullah Sallallahu Alayhi Wasallam

On one occasion, Hadhrat Umar Radhiallahu Anhu learnt that some of the Azwaaje Mutahharaat (the pure wives of Rasulullah Sallallahu Alayhi Wasallam) were speaking to him very loudly and in a very adamant manner. Hadhrat Umar Radhiallahu Anhu came at a time when Hadhrat Ayesha and his daughter Hadhrat Hafsah Radhiallahu Anhuma were seated near Rasulullah Sallallahu Alayhi Wasallam. Hadhrat Umar reprimanded them thus: "Don't you fear (the wrath of Allah and His Rasul)? You have also started speaking loudly before Rasulullah Sallallahu Alayhi Wasallam just as the other women are doing? Remember! You will be destroyed (if you do not desist)."
The Azwaaje Mutahharaat used to speak (at times) in a loud manner because they were aware of the fact it would not anger Rasulullah Sallallahu Alayhi Wasallam. Under normal circumstances, to raise the voice before Rasulullah Sallallahu Alayhi Wasallam, was considered a sin (as evident from the verses of Surah Hujaraat).

The amorous pomposity of Hadhrat Ayesha Radhiallahu Anhaa before Rasulullah Sallallahu Alayhi Wasallam

The conditions were such in the house of our Rasul Sallallahu Alayhi Wasallam that at times some of his wives used to become seemingly 'displeased' with him and he used to somehow steer clear of this. On one occasion he also ostracized them all.

Once Hadhrat Abu Bakr Radhiallahu Anhu came to the house of Rasulullah Sallallahu Alayhi Wasallam when, at the door, he heard Hadhrat Ayesha Radhiallahu Anhaa screaming and talking to Rasulullah Sallallahu Alayhi Wasallam. He was overtaken by a severe bout of fury. As he entered, he told her: "I've just heard you speaking loudly to Rasulullah Sallallahu Alayhi Wasallam" and he was about to slap her when Rasulullah Sallallahu Alayhi Wasallam intervened and prevented him. When Hadhrat Abu Bakr Radhiallahu Anhu departed, Rasulullah Sallallahu Alayhi Wasallam told her: "See, how I saved you or else you would have really got a hiding."

Once Rasulullah Sallallahu Alayhi Wasallam told Hadhrat Ayesha Radhiallahu Anhaa: "I can determine when you are displeased with me." "How," she asked, " do you determine that?" He replied: "When you are pleased with me, in your conversations you say "Laa wa Rabbi Muhammad! (Nay, by the Lord of Muhammad!)" and when you are displeased with me you say "Laa wa Rabbi Ibraheem! (Nay, by the lord of Ibraheem!). You don't say by the Lord of Muhammad at that time." Hadhrat Ayesha Radhiallahu Anhaa said: "No doubt, your deductions are correct. However, when I'm angry I only omit your name." (In other words, I only leave out the mention of your name. You are still in my heart.)

Just as Rasulullah Sallallahu Alayhi Wasallam had a lot of love

for Hadhrat Ayesha Radhiallahu Anhaa, she also, in turn, cherished intense love for him. This is expressed in one of her poems in which she says: "If Zulaikhah had to see the blessed countenance of Rasulullah Sallallahu Alayhi Wasallam, she would have cut her heart instead of just her fingers."

Hadhrat Ayesha Radhiallahu Anhaa had intense love for Rasulullah Sallallahu Alayhi Wasallam but in spite of this, she at times used to become displeased with him. Rasulullah sallallahu Alayhi Wasallam wouldn't say anything to her because this in reality was not displeasure or anger but it was pomposity. (At-Tableegh volume 7 page 137)

CHAPTER 10

The social life of Rasulullah Sallallahu Alayhi Wasallam and his conduct with his wives

Rasulullah Sallallahu Alayhi Wasallam displayed such outstanding morals and character with his wives that today's so-called cultured nations will probably be left dumbstruck. However, we are not concerned with their surprise and bewilderment. We will laugh at their stupidity. We will not conceal the conditions and incidents of Rasulullah Sallallahu Alayhi Wasallam for fear of them being criticized. Our religion is not something to hide. We will expose it fully before the masses because everybody in this world is not stupid. There are many intellectuals in this world who will attach value to his teachings and life-style.

Gratifying the women and consideration of their emotions

The morals of Rasulullah Sallallahu Alayhi Wasallam were such that he used to make Hadhrat Ayesha Radhiallahu Anhaa happy in accordance to the demands of her age since she was the youngest of them all.

On one occasion they even raced with one another. She at that time was still young and lean in body whilst Rasulullah Sallallahu Alayhi Wasallam was elderly and a bit heavy in body. On that occasion she won the race. A few years later, when they had another race, Rasulullah Sallallahu Alayhi Wasallam beat her because she became slightly heavier. Women normally pick up weight much faster and they grow up much quicker as well. She was unable to beat him this time. After the race he told her: "This (winning) is in reciprocation of that (earlier race in which

you won)." Subhaanallah! What marvellous traits of character did he display. (At-Tableegh volume 7 page 132)
Rasulullah Sallallahu Alayhi Wasallam had a race with Hadhrat Ayesha Radhiallahu Anhaa. So, do we consider this act as, Allah forbid, futile and pointless? The underlying wisdom of the race Rasulullah Sallallahu Alayhi Wasallam had with Hadhrat Ayesha Radhiallahu Anhaa was the education of the Ummah. He wished to demonstrate to his people that if an elderly man marries a relatively younger girl, then he should not keep her like a 'shrewd and wise' man like him but he should take into account her emotions and feelings as well.
Children have a natural penchant for playing and merry-making. Hence, she should be afforded the opportunity for this. However, if, out of respect and consideration for the husband, she feels shy to play about, she should be permitted not only verbally but physically as well. This is why Rasulullah Sallallahu Alayhi Wasallam had a race with Hadhrat Ayesha Radhiallahu Anhaa.
On one occasion, Rasulullah Sallallahu Alayhl Wasallam also showed her an Abyssinian sport of bows and arrows played by Abyssinian children in the courtyard of the Masjid.
Rasulullah Sallallahu Alayhi Wasallam also permitted her to play with dolls.[7] At times, when the other girls of the locality used to come and play with her, they would disperse upon the arrival of Rasulullah Sallallahu Alayhi Wasallam. He would

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[7] It should be noted at this point, however, that the dolls she played with were very unlike the ones we have today. Her dolls were crudely made up with not much resemblance to real-life. Only dolls without eyes and other real-life features are permitted.

then gather them once again and portray to them that he was not offended and they may play at ease."
The Ummah had a physical demonstration of conjugal life before them in the aforementioned incidents. An elderly man has been physically instructed on the method of conjugal relationships between him and his young wife. These actions of Rasulullah Sallallahu Alayhi Wasallam constitute amicable social manners - which is also a Shari requirement - and the fact that the Ummah is being taught amicable social manners does not make this a futile exercise. (At-Tableegh volume 17 page 153)

The temperament of the husband at home

Amongst my colleagues, there is a man who is very serious and solemn in nature. Wherever he sits, he sits in a very serious and grave manner. He does not laugh nor does he joke with anyone. I once lectured on this matter and told the people that I have an aversion to such gravity and solemnity. People should talk and be humorous with one another. They should not sit with pulled-up faces all the time. Nobody is inclined to such people. You, the masses, refer to this as dignity whereas this is actually pride.
Who is more dignified than Rasulullah Sallallahu Alayhi Wasallam? He used to meet the Sahaabah Radhiallahu Anhum with a cheerful countenance. He used to talk with them and join in their conversation. Our dignity can never surpass the dignity of Rasulullah Sallallahu Alayhi Wasallam.
I have a habit of mentioning at the Madrasah before my colleagues certain events and conditions that appear at my house. Some of them objected to this saying that it is undignified to mention one's domestic affairs before others.

They most probably said this in view of my own welfare but I consider them wrong.

I told them: "Maulana! dignity and decorum is not what you claim it to be. Dignity is what is established from the Sunnah of Rasulullah Sallallahu Alayhi Wasallam. Really, you are deprived of certain Sunnats due to this so-called dignity and decorum. Come on, tell me the truth. Did you ever practise on this Sunnah of Rasulullah Sallallahu Alayhi Wasallam? (i.e. to run with the wife.) Alhamdulillah! I have been fortunate enough to be blessed with the opportunity of practising upon this Sunnah. You will confine yourself to the so-called dignity due to which you are deprived of practising upon the Sunnah of amicable conjugal relationships. Review the life-style of Rasulullah Sallallahu Alayhi Wasallam and you will learn that he used to milk the goats, harvest the vegetables and assist his household with household chores. Alhamdulillah! I have been fortunate enough to practise upon this as well.

Remember that the Sunnat demands that you lead a simple life without any frivolity. You should not lead a life of pride. You should not sit with such haughtiness and dignity that wherever you sit, it seems as though you are the leader of that gathering." (At-Tableegh volume 7 page 134)

A PLEASANT AND ENJOYABLE LIFE-STYLE

A humorous relationship between the spouses and the incident of Hadhrat Ali and Hadhrat Faatimah Radhiallahu Anhumaa

Once Hadhrat Ali Radhiallahu Anhu jokingly recited a poem in criticism of women before Hadhrat Faatimah Radhiallahu Anhaa:
"Verily, the women were created as Shaytaans for us. We seek Allah's refuge from the evils of the Shaytaans."
In reply to this Hadhrat Faatimah Radhiallahu Anhaa said:
"Verily, women are like the Rayhaan (sweet basil) flower created for you (men). And all of you are inclined to the fragrance of the Rayhaan flower." (At-Tableegh volume 20 page 108)

Paradise within the home

There is great worldly benefit in showing concern towards and comforting the wife. The first and foremost is that one's life becomes enjoyable and pleasant. Each one of the spouses shares the happiness and grief of the other. What an enjoyable life it would be if both spouses are accommodating, suitable and informal with one another.
Great pleasure is felt when a man, exhausted at the end of a hard day's work, comes home and delights himself with his family. They comfort him and he, in turn, is also concerned of their well-being and comfort.
Those who lead a favourable social life with their families, are really blessed with paradise in this very world. This is the mystery behind the gratifying attitude of the Ahlullah (saints of

Allah Ta'ala). They are concerned of the well-being of their families so that their lives can be one of peace and enjoyment. On the other hand, wherever there are quarrels and constant tiffs, there is no pleasure amongst those people. What kind of life is this; when a man, exhausted at the end of a hard day's work, comes home also to be greeted with grief and problems. Nonetheless, the temperaments of the people today have curdled. Insensitivity has become the norm of the day. Many people prefer to live such unhappy lives. However, if a person is even slightly sensitive, he considers such a life as a life of hell in this very world. (At-Tableegh volume 14 page 145)
Some women are fond of saying that (life is quite normal) where one spouse's hand is always in motion whilst the other spouse's tongue is always in motion. There is practically no pleasure in a life where both spouses are cheerful with each other for a few days followed by incessant quarrelling for the next ten days. The true pleasure of life will only be felt when both spouses take total heed of each other's rights. (Huqooquz-Zawjayn page 149)

Consideration of the wife's comfort

Rasulullah Sallallahu Alayhi Wasallam had apprised us of Deen as well as the dunya (worldly affairs). Hadhrat Ayesha Radhiallahu Anhaa says that once Rasulullah Sallallahu Alayhi Wasallam got up at night to visit the grave yard. He got up very quietly, put on his shoes and opened the door also very quietly. When asked about the reason for his stealthy movements, Rasulullah Sallallahu Alayhi Wasallam said: "I went out very quietly lest you get up and feel bewildered all alone."
Look at the extent of his consideration towards his wife who is after all subjected to him. Nowadays, leave alone the subjects and subordinates. even the superiors, 'ike the parents and

Making the wife comfortable is to the husband's own benefit

There are some women in our locality who are leading a life of total comfort and ease. Their ages are around the forties but they look as though they have been married just a year or two ago. They don't look older than twenty five. One of the benefits of keeping the wife in comfort and ease is that she will remain healthy and the effects of old age will not appear as quickly. She will also be able to serve you for a longer period of time. However, nowadays, the people don't even consider them even though their own long term benefit is at stake. (Al-Ifaadhaatul-Yawmiyyah volume 4 page 204)

grand-parents, are not awarded due consideration. (Al-Ifaadhaatul-Yawmiyyah volume 2 page 153)

It appears in a Hadith narrated by Hadhrat Ayesha Radhiallahu Anhaa that Rasulullah Sallallahu Alayhi Wasallam got up one night from bed very softly. He put on his shoes very quietly, opened the door and closed it also very softly. Hadhrat Ayesha Radhiallahu Anhaa suspected him of going to one of his other wives. The underlying reason for this suspicion was the intense love she cherished for Rasulullah Sallallahu Alayhi Wasallam. And such suspicions can occur during the course of love. She enjoyed a very informal relationship with Rasulullah Sallallahu Alayhi Wasallam and to top that, she had intense love for him as well. She says in one of her poems:

"If the companions of Zulaikhah had to witness the countenance of Rasulullah Sallallahu Alayhi Wasallam, they would have cut their hearts instead of their hands (as they did when they witnessed the handsomeness of Hadhrat Yusuf Alayhis-Salaam.)"

Hadhrat Ayesha Radhiallahu Anhaa had such intense love for Rasulullah Sallallahu Alayhi Wasallam that none of his actions would have offended her. In spite of that, he took her comfort into account and did everything very softly lest her sleep was disturbed. So where there was no possibility of any displeasure whatsoever, he still considered her comfort, whilst we, on the other hand make a lot of noise, particularly with our (high-heeled or hard-soled) English shoes when we get up at night. When we take clods of earth at night for Istinjaa, we break them with a lot of noise whereas this is rather disturbing to the others. (Huqooq wa Faraaidh page 337)

CHAPTER 11

The favours, virtues and sacrifices of women

Appreciation of women

The men are under the notion that they have fulfilled their rights adequately by providing food and clothing to their womenfolk and the balance of the rights rest on the shoulders of the women. Let me inform you that, in lieu of you providing food and clothing, the amount your wives care for and serve you is such that no servant or maid will be prepared to serve you for so meagre a provision. Whoever is still sceptical about this should try it out and see. Without a wife, it is virtually impossible to run the household systematically even if you had to employ a thousand servants. We had witnessed some people that they had enormous incomes which were disposed off by their servants. Their household expenditure had no limits. Only after they married, they were able to maintain some sort of system within their household.

I maintain that even if the wife does not do anything physically, the fact that she supervises the running of the household is a mammoth task in itself. Even in normal worldly affairs, huge wages are fixed for those involved in mere supervision and they are accorded great honour and respect. Take the case of a viceroy for instance; he does not do anything physically because he has under him a great number of staff and there is no need for him to do anything. However, his big salary and honour comes because of his responsibilities and supervision.

Similarly, the wives play such a mighty important role in the supervision of the household that the mere provision of food and clothing can never be sufficient in lieu of their services. We see

many girls of influential and elite households who carry out a lot of the household chores with their own hands. The children in particular, are reared with great care and sacrifice. This is such a feat that even a paid servant will not be able to accomplish. (Raful-Iltibaas page 149)

Perception of responsibilities

The women are normally so busy that they don't even sit with ease. One of the reasons for her getting feeble and weak so quickly is that she always has some anxiety and worry sitting on her shoulders. She has so much to care and worry about. Dumping all the household affairs on the poor lady's shoulders, the husband absolves himself of all responsibility and renders himself free from anxiety. The poor lady virtually kills herself with the household work. Ask the husband to run the household successfully for just two days and then we will consider him a true man. In spite of all these trying circumstances, her true marvel lies in the fact that she does not verbally expose her hardships. This is the main reason they get weak so quickly. (Al-Ifaadhaatul-Yawmiyyah volume 4 page 203)

A wife is a true benefactress and protector of your Deen

One of the reasons for a woman's rights is the fact that she is helpless and dependent. Another reason is that she is your companion and the bond of companionship ultimately increases the rights one companion enjoys over the other. To top that, she is a protector of your Deen as well. She is a very valuable entity because she is very instrumental in protecting your Deen and in putting a stop to evil thoughts. For this reason she is a true benefactress. Those who are religiously-inclined really

appreciate this favour.
You should really appreciate your wife because she is your assistant in both your Deen as well as your dunya (worldly affairs). Considerations of her rights is very important because she is endowed with various characteristics all of which have some rights or the other. Allah Ta'ala has made the bond between the husband and wife such that no other human being is able to comfort the husband as the wife does. At times a person is shunned aside in disgust by all his relatives, particularly if he is suffering from sicknesses like acute diarrhoea etc. However, a wife won't shun her husband even in such circumstances. At times of illness, she gives the husband the most amount of comfort. This is a worldly benefit from the wife.
As for the Deeni benefit from her, a man is free from anxiety in regards to the household affairs. As a result, his heart is at ease and tranquil (to accommodate the Ibaadat of Allah Ta'ala). Experience bears testimony to the fact that it is extremely difficult to run a home systematically without a wife. (At-Tableegh volume 14 page 147)

An elegant virtue of women

It is something to contemplate over that men, after many years of spiritual exercises and effort, finally give themselves over to Allah Ta'ala. A wife on the other hand, surrenders herself totally to her husband on the very first day after the marriage. So if even the husband is not there (to comfort and gratify her), who else can the poor lady turn to? (Al-Qawlul Jaleel page 77)
Experience bears testimony to the fact that during tough and trying times, all other relatives, even parents at times, shun the husband aside. However, a wife will always stand by her

husband's side. Similarly, the comfort a wife gives to her husband, no other friend nor parents can afford him such comfort. From this it is quite evident that a man has no other companion parallel to the wife. (Huqooqul-Ba'yt page 22)

Devotion and loyalty

Simple and homely women are very obedient and devoted to their husbands. Some women display such devotion to their husbands that even though they themselves may be ill and don't even have the strength to get up, if the husband also falls ill, these women forget about their own illnesses and attend to their husbands. They are never at ease. They are always attending to the needs of their husbands.

It is a daily occurrence where women eat right at the end. They firstly feed the men and they normally eat after that. If an unexpected guest appears, she will remain hungry and present her share of the food to the guest. If there is anything left over after the guest has eaten, she will partake of it or else remain hungry.

If the husband returns from a journey at the middle of the night, she will forego her sleep and cook some food for him. She will also attend to all his needs. (Huqooqul-Ba'yt page 30)

I can deduce from experience that the women here (in India) entertain such intense love for their husbands that their love has penetrated every fibre of their bodies. However, there is only a wee bit of carelessness on their part and that is they are unable to control their tongues. Nonetheless, she is bestowed with so many other virtues that this one defect can be overlooked. Look at her excellent virtue and not her defects. (At-Tableegh volume 7 pages 59 &61)

SECTION ONE

Extreme kindness to women

Show kindness to the wife even though she may be slovenly or ill-mannered. She has left her parents and all other family members solely for you. Her vision is now directed to you alone. She only has her husband to turn to. Human nature also demands that such a loyal person should not be put into any form of difficulty. Whatever bad manners or disrespect she displays should be considered as pomposity and frivolity because she is intellectually less efficient than men. She does not possess sound judgement and discretion. She does not have the correct manner of speech. Hence, she converses in a manner which displeases men. However, the reality of such seemingly 'bad manners' is nothing but her pomposity. After all, to who else can she display such pomposity? You are the only one for her. (At-Tableegh volume 7 page 59)

Value her at all times

Men should always appreciate their women particularly for two reasons; firstly, since she is your wife, she is like a prisoner subjected to you. And it is rather ungallant of you to ill-treat someone totally subjected to you. And secondly because of her Deen. You are a Muslim and she is also a Muslim. Just as you fulfil the tenets of Deen (such as Salaah, Saum etc.), she also fulfils the same. And nobody knows who of you two is more accepted in terms of Deen-consciousness in the eyes of Allah Ta'ala. A woman is not necessarily lower in status than a man. There is a possibility that, in the eyes of Allah, she is on par with him or maybe higher in Deeni status. Don't despise the

women nor look down upon them. Allah Ta'ala accepts even the seemingly trivial actions of the helpless and broken-hearted and He accordingly increases their status. So there should be no surprise if the women you despise due to their helplessness, turn out to be more accepted in the eyes of Allah Ta'ala. Hence, the men should fear Allah Ta'ala in regards to the affairs of women whilst women, on the other hand, should be obedient to their husbands and not confront them boldly and impudently. (At-Tableegh volume 7 page 17)

The Ulama are not their wives Mureeds (disciples) but their cherishers

Those who are religious normally value and appreciate the favours of their wives. Maulana Muhammad Mazhar Rahmatullahi Alayhi was such that in spite of his wife being extremely old, he had extreme love for her. Whenever she fell slightly ill, Maulana used to take leave from the Madrasah and serve her with his own hands.

Nowadays, some people have an aversion to their old wives whereas you are responsible for rendering her so old. Maulana would never dump his responsibilities upon the servants and maids. He ensured that he served his wife himself even if he had to take leave from the Madrasah for a few days.

This is the reason people say that the Ulama have become Mureeds (disciples) of their wives. Yes, surely! However, them being Mureeds is better than you being a Spiritual mentor (shaikh). You are a Spiritual mentor for your wives but you are a bandit Spiritual mentor.

In actual fact, the Ulama are not the Mureeds of their women. They harbour the fear of Allah Ta'ala in their hearts. They are very considerate of the rights of other human beings. They have

studied the rights of the wives during the course of their research. They have come across the social life of Rasulullah Sallallahu Alayhi Wasallam. This is why they approach their women with such love and tenderness and they are concerned about their comfort. In fact, the consideration and concern Rasulullah Sallallahu Alayhi Wasallam had for his women, even the Ulama don't display such concern. If one of the Ulama had to display such concern, the masses would award him with a more superior title than 'Mureede-Zan' (disciple of women)..... In short, an Aalim is more considerate of his women simply because he has the social life of Rasulullah Sallallahu Alayhi Wasallam before him. There is also great benefit in giving her due consideration. The Ahlullah (saints) were not Mureeds of their wives but they were cherishers of their wives. They valued them and understood their worth. (At-Tableegh volume 7 page 60 & volume 14 page 144)

The condition of the Ahlullah (saints)

The vision of the Ahlullah is not centred upon the ladies' defects but upon a certain virtue which renders all their defects insignificant. It is a very outstanding virtue and, Alhamdulillah, all our noble ladies are endowed with this virtue which is really worth appreciating. (This virtue is her chastity.) If the husband goes away from home out of negligence or any other reason or he is imprisoned and he stays away from home for over fifty years without even informing his family of his well-being and the wife has no source of income, he will find his wife at the very house he left her in. He will witness with his very own eyes her wretched and pitiable condition but there is no question of her disloyalty to him. She wouldn't lift her gaze to another man. This is such a virtue that all else can be tolerated before this one

virtue. In view of this virtue (of chastity), don't allow your vision to centre upon any of her faults and defects. Out of experience I can swear that the love our women cherish for their husbands has penetrated every fibre of their beings.

It was for these very virtues that the Ahlullah displayed such concern for their wives which the people find rather surprising. They were not Mureeds (disciples) of their women but rather they were cherishers and they understood their worth. They endured all their wives' harassment with good intentions.

In short, conversing in an ill manner is no doubt a grave error amongst women but together with this she has a very excellent virtue; she cherishes intense love for her husband which exposes itself on certain occasions. (At-Tableegh pages 59 & 60)

The social life of Hadhrat Thanwi Rahmatullahi Alayhi and his politeness with his house folks

It is surely not something to be mentioned but since there is a need for it I will say it. Find out from my family as to what extent I rule over them and what services I extract from them. Alhamdulillah, neither am I subjected nor do I subject others to anything. Life is lived like kings.

It is my habit that when I go home and see that fresh roti (unleavened bread) is not baked, I eat stale bread. Many a times if I see that she is busy doing something I will take the roti, fill the water and take the curry etc. by myself and place it on the *dastarkhan*. And thereafter I will sit down and eat. In fact, if I see that she is busy making roties or something of that sort (in the kitchen) and she needs something like water etc. I organise the water for her from the pump or water tank. At times, if I see that she is free, I request her to bring the food. The poor lady brings the food and serves it. It is necessary to consider all these

things.

It is not a matter of whether she is free or occupied. After all she is also a human being. Temperaments are not stable at all times. At times, even ordinary servants tend to feel a bit lazy and ungeared for work.

In short, there is no hard and fast rule that she has to do everything. Within the boundaries, if you do take any service from her at times - taking into consideration her comfort and ease - then there is no problem with that. After all they should have something to do. However, cruelty and meanness should never be depicted.

I carry out many of the household chores with my own hands. What inconvenience is there to me? Do any of my other responsibilities get neglected? In fact, just as I am comforted if she serves me, similarly, she is also comforted if she does not have to do anything for me.

I tend to sleep very little at night. When I see the family asleep, I express my gratitude unto Allah Ta'ala for making them sleep fitfully. Otherwise I would be overcome with double grief; one because of my own insomnia and one due to their sleeplessness.

When leaving home I ask them if there is anything necessary for me to attend to. If there is nothing I leave and if they say that there is something for me to attend to, like letter writing etc. I remain behind and attend to whatever requires my attention. Then only do I leave.

After meals, if I feel like eating a Paan (betel-leaf), I just ask her where the paan container is and I take it myself. (I don't normally ask her to bring it for me.)

The youth nowadays refer to their wives as 'Rafeeqe-Zindagi' (lifelong companion). O you gentlemen! do you ever fulfil the rights of this Rafaaqat (companionship) or are your claims confined to words only? From your actions it seems as though

you have rendered her your 'Fareeqe-Zindagi' (estranged companion) rather than your Rafeeqe-Zindagi (lifelong companion). [Nusratun-Nisaa page 549]

Incident of Hadhrat Thanwi Rahmatullahi Alayhi

It was just the other day that whilst performing the Sunnats of Fajr Salaah somebody came from the big house (probably a reference to the house of his senior wife) with news that she fell down from the upper floor. I broke my Salaah the moment I heard about it. All of you (sitting here in this gathering) are intelligent and understanding people. Some ignorant people are probably thinking at this moment that how could he break his Salaah for his wife? He has so much of love for his wife that he broke off his Ibaadat with Allah Ta'ala solely for his wife?
Undoubtedly, if it was a bogus spiritual mentor, he wouldn't have broken his Salaah because he would have been disgraced before his ignorant disciples. Alhamdulillah, I don't care in the least bit about what people would say. If anyone feels that I have disgraced myself doing this, he may search for another Shaikh (spiritual guide) with pleasure.
What can I do if Allah Ta'ala has commanded us to break the Salaah on such occasions? Should I abandon the divine command of Allah Ta'ala merely to make myself honourable in the eyes of the ignorant?
It is quite obvious that when a lady falls off the upper story, only the husband can alleviate some of the pain she suffers due to her injury. Only the husband is able to enquire about the state and place of injury. Particularly in this case where the only other occupants of the house were a small girl and another old helpless lady. Even if there was someone else to assist her, this fall could have been fatal. Immediate help does offer some hope

of life. Hence, it was necessary for me to attend to her at once. I considered it religiously binding upon me to break my Salaah immediately and attend to her.
It appears in a Hadith that once, while Rasulullah Sallallahu Alayhi Wasallam was delivering the Khutbah when either Hadhrat Hasan or Hadhrat Husayn Radhiallahu Anhumaa came into the Masjid. At that time he was still a small child. He came wobbling into the Musjid (and there was a fear of him falling). Rasulullah Sallallahu Alayhi Wasallam broke off his sermon and went and picked him up. The Khutbah is just like Salaah. In other words, the rule applicable to Salaah is the same as the Khutbah. The Khutbah cannot be nullified without any valid reason. So when Rasulullah Sallallahu Alayhi Wasallam could break off the Khutbah for his grandson, who am I that I do not break my Sunnah Salaah for such a grave incident?
This was not (only) a consideration to the wife, but it was also a consideration of the right of Allah upon me. This was the law of Allah Ta'ala that applied at that instance. What is the status of the wife before the command of Allah Ta'ala? If Allah Ta'ala commands us to kill the wife, a true Muslim will do that as well. And where He commands us to attend to certain emergencies, a true Muslim will break Salaah also for that. In both cases, the main reason for carrying out those injunctions is obviously the right of Allah Ta'ala. (At-Tableegh volume 17 page 145)

Love for the wife - its boundaries

A person once wrote to me saying that he cherishes intense love for his wife. "Is such intense love despicable or not?" he asked. I wrote back: "Even more intense love than that is not despicable subject to one condition." I even asked him about this condition and that is; if at any time your consideration towards

her is perilous to or contrary to Deen, who will you award preference to? To your wife or to Deen? (This is the touchstone (criterion) for your love. If you grant preference to your wife over Deen, then this love is despicable and if you grant preference to Deen then this love is laudable.)

I wonder why people make their wives scapegoats.[8] If he has a doubt that his wife is Ghairullah (a being other than Allah), then he himself is also Ghairullah. If he cherishes the same love for himself as he cherishes for his wife then the same doubt can apply here as well. However, this person did not ask this explicitly. Nonetheless, whatever he did ask is still a blessing. At least he has some concern for Deen. When a person has some concern for Deen, even the Shaikh takes pleasure in teaching him and informing him about other things as well. (Malfoozaat Hakeemul-Ummat volume 1 page 26)

Overindulging the wife is also stupidity

We once visited a great saint. He was so soft-natured and well-mannered that his wife also used to beat him at times. It seems rather crazy for the wife to hit her husband. It was due to his soft nature that he endured her abuse or else he would have

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[8] The person who posed the question above regarding intense love for his wife felt that his love was directed to an entity other than the entity of Allah Ta'ala. Hence, he asked the above question. In response to that Hadhrat Thanwi asks why he singled his wife out only for this question. The person could have directed this question to himself as well. Just as this person loved his wife, probably he loved himself also intensely. So the same question can be directed to him as well.

retaliated. It was due to her insolence that she used to hit her husband whilst it was his slackness that contributed to her insolence.

To be physically abused by the wife is rather crazy and weird. I don't mean that you should hold such awe over her that the moment you step into the house you become like an anathema to her. She loses all her senses out of fright. The moment she says something or asks for anything, you start beating the hell out of her. Nor do I mean that you should not even admonish her at all. You should endeavour to reform her, albeit tenderly and affectionately. To threaten her at times also is not despicable. However, to be immoderate in this also is not recommended. (At-Tableegh volume 7 page 130 & 138)

CHAPTER 12

Discord between the spouses

Dissension between the spouses - the root of evil

The discord and differences between husband and wife gives rise to endless problems. (Malfoozaate-Ashrafiyyah page 46)
Shaytaan is very pleased with the person who sows seeds of discord between the husband and wife. It appears in a Hadith that Shaytaan sets his throne on the middle of the ocean every night and he listens to the cases of all his disciples. One of them will claim that he made a man commit adultery whilst others will claim other forms of sin. Shaytaan will address each one of them and say that you didn't do much. (Since mere repentance will obliterate the sin.) One of the Shaytaans will say that he planted seeds of discord between husband and wife and he persisted in his endeavour until the husband divorced his wife. Shaytaan embraces this disciple, praises him and exclaims: "You have really carried out a marvellous feat."
The reason behind Shaytaan's joy lies in the fact that any discord between two people is confined to them two alone. It does not affect other people. However, any discord and subsequent divorce between the couple has far-reaching affects. Families on both sides turn antagonistic towards each other. The enmity between two people leads to enmity amongst a hundred others. Shaytaan does not have the time to sow seeds of hatred amongst a hundred people. He just has to bring about discord between the husband and wife and this will have a ripple-effect far and wide.
There is an incident of a foreigner who wished to learn Arabic. Right at the very beginning he started reading Sharah Jaami (one

of the higher books of Arabic grammar) for many years on end. The people told him repeatedly that he wouldn't benefit from the bigger books until and unless he studied the smaller books like Meezaan etc. To this he would respond: "My mother used to breed chickens. Every evening, it used to be a real hassle for her to gather all the chicks into an enclosure. At that time, my mother used to catch the hen and all the chicks used to squawk and come together with the hen. Similarly, Sharah Jaami is like the hen. Once I get hold of the hen, all the others will automatically come under my control."
Similarly, the discord between the husband and wife is like the hen. Shaytaan sows the seeds of hostility between them and this ultimately leads to endless quarrels and disputes. These disputes eventually destroy one's Deen. The non-relatives also face a problem; they are not sure whether they should meet the warring parties or remain aloof from them. (Islaahe Zaate-Bayn page 278)

Dissension between the spouses - both are at fault

It is a deficiency amongst women that they do not respect their husbands and show extreme disrespect to them. This is totally shameless of them. Some women treat their husbands as though they are equals and they treat their husbands as though they are brothers of the same age. Great emphasis has been laid in the Hadith in favour of respect to the husband. It is narrated in the Ahadith that Rasulullah Sallallahu Alayhi Wasallam said: "If I had to command anyone to prostrate before any being other than Allah, I would have commanded the wife to prostrate before the husband. However, prostrating before anyone other than Allah is not permitted." Nonetheless, we deduce from this Hadith that the women are compelled to respect their husbands.

In some places, women rule over men whilst in some places they show extreme disrespect to them and they are fond of despising their husbands. (Huqooquz-Zawjayn page 110)
Similarly, (men are also to blame) for imposing hardships upon their womenfolk. They attend to them in a rather despicable manner. Some men trample upon the rights of their wives by protecting their own interests first. They eat the best of delicacies and wear the best of clothing whilst the wife and children are left suffering. This complaint is not directed to a person who does not have anything. In fact in such cases, the women work and feed their husbands (and they will even sell their jewellery for them). Our complaint is addressed to that person whom Allah Ta'ala has bestowed with abundant wealth and yet he is niggardly with her. This is rather unbecoming of a man and really heartless of him.
There is so much of cruelty shown towards women that some men are under the false notion that they enjoy total and unfettered rights over their womenfolk. In some places, both parties are at fault. (One party is guilty of cruelty whilst the other is guilty of disrespect.) On the day of judgement, they will all be reckoned with. Whomsoever encroached upon the rights of others will be taken to task.
In short, men are required to fulfil the rights of their wives whilst the womenfolk are required to show respect to their husbands. They should obey and honour their husbands. (Huqooquz-Zawjayn pages 42, 111 & 382)

Discord between the spouses - the wife is mainly at fault

One of the intrinsic maladies found in women is that they are very disrespectful to their husbands. There is no doubt that some men are also very tyrannical and hard-hearted. However, some

women are such that in spite of hosting them with a warm reception, they tend to harass their husbands.

There is no denial of the services the women of India render to their husbands. However, their service can be summarised thus; they serve him physically but harass him spiritually. They no doubt serve him physically. They are matchless in this feat. They are also very chaste. They probably don't even have some inclination towards undermining this chastity. However, the condition of their tongue is such that they blurt out whatever comes to mind. This is really perplexing to the husband. The most simple method of rectifying this evil is to keep the tongue in check. At the beginning it will be a bit difficult. Controlling the tongue will first develop into a habit and thereafter she will be delivered from this malady. This is the cure for this disease and not what some women do; they get some salt or sugar etc. read upon (as a form of a taweez) in order to subordinate the husband and ultimately the ladies can say what they wish to, whilst the husbands will go on listening. This is not the cure for this malady. (Al-Aaqilaat Al-Ghaafilaat page 332)

Immoderate extremities

Some women are of the opinion that taking the husband's name severs the Nikah. It is as though it is impermissible to take the husband's name. Taking his name is disrespectful whilst harassing him and dishonouring him with the tongue is not disrespectful? According to these women, quarrelling with the husband or other women is as though it is not prohibited. Some women tend to go to such extremes that even if their husband's name appears in the Quraan, they will omit the name whenever they pass his name whilst reciting the Quraan. It is as though his name is not mentioned in the Holy Quraan. Some women won't

even employ words similar in scale to the names of their husbands. It is really ironical that they consider all these things impermissible whilst verbal dishonour to him is permissible. (Deeno dunyaa page 334)

An excellent method of avoiding conflict and making the husband affectionate

A woman came to a certain Buzrug (saint) and requested a taweez to ensure that her husband does not abuse her. The buzrug feigned recitation on some water and advised her: "Place this water in a bottle and the moment your husband walks in, take a sip of this water, keep it in your mouth and sit down. And until he remains with you, make sure you keep the water in your mouth. Your husband will automatically be overwhelmed with shame for abusing you." She did as instructed. Whenever he came to her, she took a sip of water and sat down with the water still in her mouth. After some time, the husband softened up a bit and became affectionate towards her. The woman returned to the Buzrug with some gifts saying: "Hadhrat! Now my husband is treating me well." The Buzrug smiled and said: "That was merely a ploy. It was not a Taweez or anything of that sort. I realized that your husband was hard on you because of your abusive language and because of your inability to control your tongue. I employed this ruse just to restrain your tongue. Make sure you keep your tongue in control in the future. Take these gifts away as well as I will not accept them." No doubt, the (impudent use of) the tongue is a great calamity. (Al-Aaqilaat Al-Ghaafilaat page 343)

What should she do if he is at fault?

Ladies! The fact that you get angry whenever he gets angry signifies that you consider yourself either superior to him or equal in status to him. A person normally becomes angry with somebody lower than him or equal to him. If a person considers someone else superior to him, he will never become angry with him, as in the case with the servant. He does not get angry with his master. If you consider yourself inferior and subjugated to your husband, you will never become angry with him regardless of the degree of his fury. So remove this baseless notion from your heart and consider yourself subjugated to your husband just as Allah Ta'ala has created you. (Even if the husband is at fault and his anger is unwarranted) then too control your tongue. Remain totally silent. When his anger subsides then only should you tell him about his error or inappropriate action. This course of action will ensure that such matters are not prolonged and at the same time he will really appreciate you. (Huqooqul-Ba'yt page 51)

If anger takes its furious toll over you then contemplate over the fact that there are many rights of Allah Ta'ala over us and we are perpetually sinning. When Allah Ta'ala forgives our sins then we too should overlook his (or her) sins. (Malfoozaat page 6)

Such forbearance and patience brings about tremendous Deeni benefit and one is rewarded greatly as well. (Huqooqul-Ba'yt page 42)

Women are naturally and judicially subjected to men. However, out of love for them, men become subjected to women. Hence, the wife should conduct herself in a manner that develops love in his heart for her. And the method to achieve this end is as explained above. The husband will only be subjected to you

until his love for you remains within his heart. And the prevailing of this love rests on the practice of Hijaab (purdah). Men are normally very concerned about the comfort of their wives and the underlying reason for this concern is the love they cherish for their womenfolk. And the origin of love is based upon Ikhtisaas (exclusivity). Experience bears testimony to the fact that when something becomes commonly prevalent (free for all so to say), one does not cherish a very strong bond towards it. This Ikhtisaas (exclusivity in favour of the husband whereby even the gazes of other men don't linger upon her) can only be achieved by the institution of Hijaab. (purdah). Hence, Hijaab is the chief contributor towards the preservation of this love. From this, the importance of Hijaab is also deduced. (Al-Faydhul Hasan page 170)

The employment of Taweez etc. to subjugate the husband

The Fuqahaa (jurists) have prohibited the employment of Taweezes etc. the sole objective of which is the subjugation of the husband. (Huqooquz-Zawjayn page 381)
The use of such Taweezes is Haraam because the effects of the Taweez renders the husband predisposed to something he is not religiously compelled to do. (At-Tahzeeb page 47)

Question: If a woman, with the sole intent of subjugating her husband, resorts to certain verses of the Holy Quran, Duaas or any other agency, is this permissible or not?
Answer: No, it is not permissible. However, in order to avert his cruelty (so that he may fulfil all his wife's rights) it is permissible. (Imdaadul-Fatawaa volume 4 page 89)
Commentary: If the wife is disobedient, it is permissible to employ some Amal (taweezes etc.) to make her obedient.

Similarly, if the husband is very cruel, it is permissible to subjugate him. However, there are certain very sensitive angles to this rule. Many consider this permissibility as a general rule. If a woman employs some Amal (Taweezes etc.) in order to subjugate her husband, there is some detail to this; if her husband is deficient in fulfilling her rights, she is permitted to employ such taweezes to attain that shortfall only. If, on the other hand, he is fulfilling her rights and just to make him infatuated with her she employs such Taweezes, it is prohibited. (Ta'meemut-Ta'meem page 143)

Few simple and beneficial Amaliyaat to create love between the couple

Amal to please the husband

If the husband is upset and angry, recite the following verse on some sweetmeat and feed the same to him. Insha Allah, he will become affectionate towards you. Remember that this verse will have no effect in the wrong places. The verse is:

وَمِنَ النَّاسِ مَنْ يَّتَّخِذُ مِنْ دُوْنِ اللّٰهِ اَنْدَادًا يُّحِبُّوْنَهُمْ كَحُبِّ اللّٰهِ وَالَّذِيْنَ
اٰمَنُوْا اَشَدُّ حُبًّا لِّلّٰهِ . وَلَوْ يَرَى الَّذِيْنَ ظَلَمُوْا اِذْ يَرَوْنَ الْعَذَابَ اَنَّ الْقُوَّةَ لِلّٰهِ
جَمِيْعًا وَّاَنَّ اللّٰهَ شَدِيْدُ الْعَذَابِ.

Amal to create love within the wife

(1) If Surah Yusuf is written out, made into a Taweez form and tied to the arm of the husband, his wife will (Insha Allah) start

loving him.

(2) Read (in the mind not with the tongue) the word 'Al-Mughni' whilst engaging in sexual intercourse with the wife. This will also engender sentiments of love from her side (Insha Allah). [A'amaale-Quraani pages 64 & 65]

A proven amal for developing love between the couple

In order to engender love between the spouses, write out the following, or read it and blow onto some food or water. Thereafter, feed the same to the couple. Insha Allah, love will develop immediately between them.

يَا يُّهَا النَّاسُ اِنَّا خَلَقْنٰكُمْ مِنْ ذَكَرٍ وَّ اُنْثٰى وَ جَعَلْنٰكُمْ شُعُوْبًا وَ قَبَائِلَ

لِتَعَارَفُوْا اِنَّ اَكْرَمَكُمْ عِنْدَ اللهِ اَتْقٰكُمْ. اِنَّ اللهَ عَلِيْمٌ خَبِيْرٌ. اَلِّفْ

بَيْنَ..........فلان بن .... فلان..........وَ فلانة بنت

فلانة.........كَمَا اَلَّفْتَ بَيْنَ مُوْسٰى وَ هَارُوْنَ.

مَثَلُ كَلِمَةٍ طَيِّبَةٍ كَشَجَرَةٍ طَيِّبَةٍ اَصْلُهَا ثَابِتٌ وَّ فَرْعُهَا فِى السَّمَاءِ. تُؤْتِىْ

اُكُلَهَا كُلَّ حِيْنٍ بِاِذْنِ رَبِّهَا وَ يَضْرِبُ اللهُ الْاَمْثَالَ لِلنَّاسِ لَعَلَّهُمْ يَتَذَكَّرُوْن

Write out the husband's name together with his father's name (like Muhammad bin Abdullah for example) at the first empty space and write out the wife's name together with her mother's name in the second empty space (like Faatimah binte Ayesha for example).

One person employed the aforementioned verse in a prohibited place and it had no effect whatsoever. In fact, it was rather detrimental to him. Hence, this Amal should not be used in a prohibited place or else he will land himself in trouble.

CHAPTER 13

Cruelty towards women

Violation of women's rights

Nowadays conditions have become such that men consider their own rights binding upon women whilst the rights of women over the men are not even considered. As the case is with some fathers; they demand their rights from the children but they are not even aware of the rights the children have over them.

The underlying reason for this sorry state of affairs is that normally authority is life whilst subjugation is death. This is why the ruler is living and he considers his rights to be alive as well. The subject on the other hand is like the deceased and he regards his rights as lifeless as well. Most rulers demand their rights from their subjects and ensure that their rights are redeemed as well. However, they don't consider the rights of the public. They don't make sufficient arrangements for the comfort and tranquillity of the subjects. Similar is the case with the ministers below the rulers. They are only concerned about their own welfare. No sympathy is shown towards their subjects as well. Thereafter, the authority the father enjoys over his children, the husband over his wife, the master over his servant, the teacher over his student, the Spiritual mentor (shaikh) over his disciples and so forth - all of them are suffering from a similar malady. People of authority acquire their rights from those beneath them whilst the rights of the subjects are considered non-existent simply because they are not in a position to demand their rights. Of course the subjects who confront their seniors and demand their rights do realize some of their rights.

An idiomatic expression in Urdu is quite famous: "He who wields the cane owns the buffalo." The husband is just the same. He is under the notion that his rights are in force simply because he has the power to obtain his rights. The poor women are unable to do anything, that is why their rights are considered obsolete.

Nevertheless, Shariah on the other hand places more emphasis upon the fulfilment of these so-called 'lifeless' rights which are not demanded by any party. It appears in one Hadith that the right which nobody, apart from Allah Ta'ala, is aware of - not even the person eligible for that right is aware of that right - then Allah Ta'ala Himself will demand that right. We deduce from this Hadith that he who has nobody to help him, Allah Ta'ala will help him. This is the main reason why the Duaa of the oppressed against the oppressor is not rejected. When the oppressed makes Duaa, Allah Ta'ala says to him: "I will definitely assist you even though it may be after some time." (Raful-Iltibaas Huqooquz-Zawjayn page 147)

Constrictions placed upon the wife's maintenance

Some people place restrictions even upon the indispensable expenses of the wife, like food and clothing. When she asks for something, they beat the hell out of her for being extravagant. "There is no need for such expenses," they claim. They set out a few monetary principles to curb their wives' expenditure. For instance, they will only give them a few cents. Even if guests are to be entertained or medical costs incurred, they won't part with anything more.

Gentlemen! your wives are not subject to principles but rather they are subject to demands of the occasion. If you are really a man who adheres to principles, then subject yourself rigidly and

see if you are really successful. Fix a ceratin sum for yourself and ensure that you don't exceed that limit whether you are ill, there is a wedding in the family or any other problem. If you are involved in a court case against you, how far will you adhere to your principles? You will spend a great sum of money behind the case. Then why do you set out principles for your poor wife? (At-Tableegh page 140)

Deficiency in other rights

The wife enjoys many rights against the husband. Many are guilty of encroaching upon their rights. Their rights are: to feed and clothe them according to your capability, to teach them the correct path of Deen etc. Some don't feed and clothe them or they are rather niggardly when it comes to spending upon their women. Some men are guilty of having illicit affairs even with lower-class women. They have no scruples of tainting their family lineage nor do they fear disrepute. A veil has fallen over their eyes and they have resolved to perpetrate acts of injustice. (Irshaadaat Hakeemul-Ummat page 407)

The injustices of the men and the forbearance of the women

Some men encroach upon the rights of their women in such a manner that they shamelessly worry about their personal comfort first. Such men eat the best, dress in the best of clothing whilst the wife and children are abandoned in total neglect.
It is rather inhumane of him to dress up smartly whilst leaving the wife looking like a maid. He has no concern for her clothing nor her food. The woman is more eligible for beauty and adornment not a man.
Some men are possessed by evil dispositions which lead them

to pursue illicit relationships with immoral women whereas they have wives like *Hoors* sitting at home. Their wives are sitting idle at home without even attracting a glance from their husbands.

The women of India are very forbearing and grateful. They won't do anything but cry and lament over their plight. They don't usually expose the secrets of their husbands. (Huqooqul-Ba'yt page 43)

The victimisation of women

Women are put through endless torments and hassles. I just received a letter from a lady today who took Ba'yt (pledged allegiance at my hands) approximately forty years ago. She is extremely pious. She complained about her husband's harassment and abuse. Her letter left me grieved and sorrowful. Men, nowadays have resolved to encroach upon the rights of women. The poor lady wrote that excessive weeping adversely affected her eye-sight as well. She lamented: "At times, I just feel like tearing off all my clothes and running out of the house. Sometimes I feel like drowning myself by jumping down a well. However, since this is contrary to Deen, I am unable to do anything like this. I placate the heart and restrain myself. All day long, I can't do anything but cry."

How despotic of her husband. What else can the poor lady do besides crying? This lady had remarried about seventeen years ago. Her husband probably married her with high hopes when she was a bit younger. She must have been very beautiful and charming at that time. Her husband must have been infatuated with her at that time as well. Now that she has reached old age, he doesn't even look at her. In fact, he even refuses to maintain her. Her husband is much younger than her in age. At least the

husband should have taken into account the company she afforded him for all of these seventeen years. But alas, it has no effect on his hard-heartedness and cruelty. Even when the poor lady asks him if this is the fruit of all her past services, the despotic husband retorts: "What services are you talking about!?" I wonder what services the husband has in mind which his wife was unable to fulfil.

I am in the process of writing a booklet concerning these same helpless souls. Everyone wishes to be in authority over others. There is no problem with that but there are some rules and regulations governing the rights of the subjects. They should also be considered.

Hadhrat jokingly says: "If I get control of the government, the first thing I will do is to announce: "All women who are being victimised and persecuted should report it to me and I will investigate the problem and pass judgement on the matter. I will also make arrangements for their comfort. But as the proverb goes 'a mean person becomes a nuisance if invested with power'. Where will I be invested with power when I already have the intention of harassing the men. They won't even vote for me. The women won't give me their vote but at least they will bake Roat (roti) for me."

The aftermath of wife-abuse

There was a person, a so called Aalim and Muttaqi, who was very stern and cruel upon his wife. Owing to his behaviour, she used to address him as "*soowar ka bachhaa*" (son of a pig). The effects of my amicable behaviour with my family members has left such an impression on them that they consider me a true Spiritual mentor.

Rasulullah Sallallahu Alayhi Wasallam was very affectionate

and tender towards his wives. (Al-Qawlul Jaleel page 76)

Cruelty upon the fairer sex? How merciless and cowardly!

Women under the authority of their menfolk are rather befitting to the proverb "a dead body at the hands of the living". (in other words, they are the mercy of their husbands.) How much of Thawaab (reward) will you acquire if you harass them?! If you have a penchant to exercise your valour and authority then why don't you seek a powerful adversary? Then only will you be regarded as brave and courageous. Try saying something to a harsh-mannered labourer. You will see the reality of your authority.
Some men transgress even these limits and physically abuse their women. Visualising such a scene is also frightening. Such harshness upon women is a sign of cowardice and chicken-heartedness which does not behove the honour of a man. It is rather ungallant of a man to inflict physical abuse upon another human who is totally subjected to him and at his mercy. (Nusratun-Nisaa Huqooquz-Zawjayn pages 548 & 268)

Beware of the 'ah' of an oppressed woman

The poor ladies are unable to do anything much because their rights are not even considered binding upon the males. Surely, they do know how to curse. When the husband harasses her, her tongue is in constant movement. This is quite cruel of him and to top that, if she complains to her parents, he threatens and intimidates her. The poor lady is apparently left with nobody to lodge her complains. The only being she can turn to is Allah Ta'ala and continue cursing her husband. Really her curses are so close to Allah Ta'ala that they are readily accepted. The sigh

of pain uttered by an oppressed person is readily accepted by Allah Ta'ala.

We learn on the basis of the Ahadith that he who has no assistant, Allah Ta'ala is his best of assistants. When the oppressed makes a Duaa against the oppressor, Allah Ta'ala declares: "I will definitely help you even though it may become apparent to you after some time." (Huqooquz-Zawjayn Nusratun-Nisaa pages 147 & 549)

The calamitous aftermath in this very world of oppressing women

Live with your family members with exceptional character and love. Converse and joke with them. Don't be cruel to them in any way. Fear Allah Ta'ala (in regards to their matters) at all times.

Allah Ta'ala has the power to inflict some calamity upon you, draw up a court case against you, inflict you with some deadly disease, appoint an oppressive ruler over you or anything of that sort. The aftermath of oppression is generally exposed in this very world.

The former nations were inflicted with punishment swiftly and openly. Allah Ta'ala's special mercy descends upon this Ummah in that His punishment does not appear as openly or else this would have been rather disgraceful. But of course it is a veiled form of punishment for the sin of oppression. The masses of the world don't even realize that this is a form of punishment. They attribute it to external causes. In fact it is a punishment for oppression particularly when the oppressed makes a Duaa against the oppressor. The Duaa of the oppressed is very swiftly accepted. (Irshaadaat Hakeemul-Ummat Wa'z-Zulm page 408)

The punishment of the hereafter

Severe punishment awaits the perpetrators of injustice and cruelty. When a woman who was guilty of cruelty to a cat died, Rasulullah Sallallahu Alayhi Wasallam saw her burning in the fire of Hell while the cat was busy clawing her. She was hurled into the hell-fire just for being cruel to a cat. The children and womenfolk are after all human beings. They will definitely take revenge in the hereafter. (Dawaate-Abdiyat volume 19 page 119)

One who harasses the wife or anyone else will enter Jahannam

If you intentionally harass anyone (like the wife for instance), it is very repugnant indeed. And if you don't have an intention to harass but you do such things which cause harassment, then too it is repugnant.

It appears in the Ahadith that two women were made mention of before Rasulullah Sallallahu Alayhi Wasallam. One of them, it was said was very particular with her (optional) Salaah and Saum but she harassed her neighbours. Rasulullah Sallallahu Alayhi Wasallam declared regarding her: "She is destined for the hell-fire." The other woman, it was said was not very particular about her (optional) Salaah and Saum but she did not harass her neighbours either. Rasulullah Sallallahu Alayhi Wasallam said regarding her: "She will enter Jannat."

Ponder over the above. This is the outcome of harassment. Hence our concern (of ensuring that others are not harassed by us) should surpass the concern we have for Salaah and Saum. (Husnul-Azeez page 234)

CHAPTER 14

Religious code of conduct when she disobeys or transgresses

"As for those women on whose part you fear disobedience (disloyalty and ill-conduct), then (first) advise them. Next, abandon them in the sleeping quarters (suspend sexual relationships with them and don't sleep with them). And (finally) beat them (lightly). But if they obey you then do not seek any path (of annoyance) against them....... (Surah Nisaa verse 34)

Commentary

If you are really confident of a woman's transgression then you should employ verbal advice and admonishment first. If she still does not mend her ways, then avoid sleeping with her. If, even this is not sufficient then beat her, albeit in moderation. However, if she starts obeying you then don't look for excuses to commit excesses upon her for Allah is Most Great and Lofty (above you). Allah's rights, authority and Ilm are much greater. If you take advantage over her, then He can also claim thousands of His rights from you.

However, in spite of all this, if you fear such contention between the spouses which you feel they would not be able to resolve themselves, then appoint an arbiter from the husband's family and an arbiter from the wife's family ensuring that both arbiters are capable enough. Send these arbiters to look into their dispute and endeavour to resolve the issue. They should advise the defaulting party or parties. If both parties really wish to rectify the situation then Allah Ta'ala will bring about reconciliation between the spouses, provided they implement the advice given to them by the arbiters. Verily Allah Ta'ala is totally

knowledgeable and well-acquainted. He is well aware of the measures that can bring about reconciliation between the spouses. When Allah Ta'ala sees the correct intention of both arbiters, then He will inspire them with those measures. (Bayaanul Quraan volume 2 page 115)

A summary of the procedure

(1) Exercise patience upon the stupidity and ill manners of the wife.
(2) If she does not refrain from her transgression or the husband is unable to exercise patience, then advise and admonish her.
(3) Thereafter, if she still persists, sleep separately from her.
(4) Thereafter, you may beat her. However, this beating should be very light and not harsh at all.
(5) Even if this proves ineffective, then appoint two arbiters - one from each spouses family. They should look into their dispute and try to resolve the issue.

Hadith of Rasulullah Sallallahu Alayhi Wasallam

Rasulullah Sallallahu Alayhi Wasallam is reported to have said something to the effect: "Treat the women in an amicable manner as they are like prisoners under your authority. You don't have more authority than that. If they do something offensive, make them sleep separately. If this proves insufficient, then beat them. However, don't beat them very severely but very lightly. Thereafter, if they become obedient, don't tell them anything. (In other words, don't overdo it with them.) Behold! There are some rights you enjoy over women whilst they also enjoy some rights over you.
Your right over them is that they don't allow such people who you are displeased with. to sit on your bed. (In other words, they

don't allow anyone to come into your home without your permission.) And their right against you is that you feed and clothe them well. (Huqooquz-Zawjayn page 268)

Punitive measures and their limits

There is a need at times for punishment and chastisement. And according to the rule "necessity is confined to the demand of the occasion", only that amount of chastisement is permitted which will enable proper reformation. Such chastisement is referred to as Ta'zeer in the Shariah. There are various forms of this:
(1) To reproach
(2) To scold
(3) To beat with the stick or hand
(4) To pull the ears
(5) To utter harsh words
(6) To physically detain
(7) To apply financial restraints etc.
Only that amount of punitive measures can be employed which assist in improvement. It should not reach a stage of excessive torment and agony. Such excess is, let alone a sin, also unnatural and inhumane. The Fuqahaa (jurists) have explicitly prohibited excessive beating. This includes beating in a manner which leaves marks on the body. As for beating in a manner which breaks the bones or splits the skin, it will obviously be more prohibited. (Islaahe-Inqilaab volume 2 page 220)

Method of restraining oneself within the permitted boundaries

Hadhrat Thanwi Rahmatullahi Alayhi was told that people tend to commit excesses with the tongue and hand whilst applying

punitive measures upon their subordinates. However, they most often regret their actions. Hadhrat was asked for some method to ensure people remain within the limits.
Hadhrat replied: "The best plan is, prior to you saying anything or stretching your hand out, to ponder over what you are going to say or what course of physical action you will assume. Thereafter, make sure you stick to those limits. (Husnul-Azeez page 351)
The best remedy is to ensure that you don't hit whilst angry. Once the anger subsides, contemplate over the severity of the offence and punish accordingly. (Dawaate-Abdiyat volume 19 page 119)

On occasions of extreme fury

If one becomes furious with someone else, he should move away from in front of him or move the other person away. Thereafter, drink some water. If the anger is much worse, one should ponder over the fact that Allah Ta'ala has many rights over us and we are also guilty of offenses. Just as He forgives us, we should also forgive the faults of the other party. What will our condition be if Allah Ta'ala has to take us to task for all our sins? (Malhoozaat Jadeed Malfoozaat page 6)

Treatment for anger

Rasulullah Sallallahu Alayhi Wasallam once enquired from the Sahaabah Radhiallahu Anhum: "Who is referred to as a brave and valiant champion?" "One who wrestles," they replied. He said: "No! A true champ is he who controls himself at the time of anger."
It is quite natural when anger develops into rage. One cannot be

reproached for this. However, Allah Ta'ala has also blessed us with the faculty of control. One should endeavour to suppress his anger.

Hadhrat Abu Waail narrates: "We once went for some work to Urwah bin Muhammad. For some reason or the other he became extremely furious. He immediately summoned for some water to be brought to him. He made Wudhu and performed two Rakats of Salaah. Thereafter he said: "My father reported from Rasulullah Sallallahu Alayhi Wasallam that anger is from Shaytaan and Shaytaan has been created from the fire."

Think about it, only effects of heat are exposed at the time of anger; the face becomes red, the hands and feet start trembling. All these are the doings of fire. Shaytaan was asked: "Where about in man's body do you abide?" He replied: "When a man is happy, I dwell in his heart and when he is angry, I am above his head."

The treatment for anger prescribed by Rasulullah Sallallahu Alayhi Wasallam is like a total onslaught for this malady. He ordered us to make Wudhu at the time of anger. The mere washing of the limbs is not sufficient because it is not caused by fire alone but anger is also the effect of Shaytaan who was created from fire. So, in essence, the fire can be overcome with water whilst the villainy and disbelief of Shaytaan can be overcome with Ibaadat (Wudhu). Ibaadat is the total opposite of pride and pride is the essence of Shaytaan's evils. So the treatment prescribed thwarts the fire as well as pride. And this treatment is Wudhu. And Wudhu is a form of Ibaadat. Ibaadat is a reference to something which brings about proximity towards Allah Ta'ala. When a man gains proximity towards Allah Ta'ala, he obviously, distances himself from Shaytaan. In fact Shaytaan will not be able to stay close to him. He will have to flee from him. (Ghawaailul-Ghazab)

Another treatment for anger

Rasulullah Sallallahu Alayhi Wasallam is reported to have said: "When one of you becomes angry, if he is standing, he should be seated. If this does not thwart the anger, he should lie down." I have total confidence that no further plan of action or treatment will be required. When a man is standing, his body is much further away from the ground. When he is seated, he is nearer to the ground and he is closest to the ground when he is lying down. Allah Ta'ala has placed humility within the constitution of the earth. So this humility impresses its effects on this angry person. Humility is the total opposite of anger and pride. So, in other words, this treatment prescribed is (in medical terms) a counteracting remedy. (Ibid)
Experience bears testimony to the fact that at the time of anger, one is involuntarily inclined to take on an appearance which is more conducive towards hitting, seizing, bashing etc. For instance, if one is seized by anger whilst lying down, he involuntarily sits up. If his anger is relatively more intense, he tends to stand up. So it is a natural demand of anger that compels a lying person to sit up and a seated person to stand up. So the sitting position enjoys some distance from the demands made by the conditions of anger whilst the position of lying down is most distant. So these guidelines - sit down if standing and lie down if sitting - are prescribed to us for the suppression of anger are essentially logical guidelines.

A third treatment to curb anger

Two Sahaabis Radhiallahu Anhumaa became furious with one another before Rasulullah Sallallahu Alayhi Wasallam. None of the two wished to remain silent. Rasulullah Sallallahu Alayhi

Wasallam remarked: "I am aware of such a verse that if an angry person has to recite it, his anger will subside immediately. And that verse is 'Auzu billahi.....' "

A fourth treatment

The Ulama have prescribed this treatment as well for the suppression of anger: they say that he should separate himself from that environment. Obviously, when a person moves away from that place, the person who incited his anger will not be there nor will the things that incited him be there. The anger will automatically die down.

A fifth treatment

A person who gets angry very quickly should write the following text down on a piece of paper and hang it up at a point where he can always see it:
"Allah Ta'ala enjoys more authority over you than what you enjoy over the person upon whom you are venting your anger."
A person only gets angry upon the person who he considers weaker than himself. He will not become angry if the opposition is more stronger than he is. In fact, even if a more powerful third party is there, this person will not get angry.
Whenever he sees this text, its contents will become etched onto his mind. In other words, the power and might of Allah Ta'ala will always come to mind. This, in turn, will ensure he does not get angry (with his wife or anyone else). [Ghawaailul-Ghazab]

Don't entertain high hopes of totally reforming your wives

Don't ever have high hopes of her becoming totally like you are.

Their intrinsic crookedness and natural deformities will never vanish. "Straighten out a dog's tail for a hundred years but it will still remain crooked." (An English proverb expresses this in the following words: "What is bred in the bone will never come out of the flesh.")

Men should not be so cruel and ill-tempered that every trivial and inconsequential grossness of their wives infuriates them.

You should not exercise such awe over your wife that you turn out to be a bugbear (object of needless terror) for her. The moment you step foot into the house, she feels terrorized, she loses her senses, the poor lady has to just ask for something and she is physically manhandled.

The poor lady left her parents and family members only for your sake. Now her vision is centred around you only. She is always concerned about her husband only. If her husband does not give her support then who else can she turn to? Hence, morality demands that such a loyal soul should not be put through any sort of difficulty. Whatever ill manners or disrespect she displays should be considered as an act of pomposity and dalliance (Naaz). They are less intelligent, at times unable to differentiate and they lack the correct etiquette of speech. This is why they tend to speak in a manner which is very offensive to men. However, the reality of this behaviour can be summed up as pomposity (Naaz). After all, with who else can she behave in such a manner? You are the only person in the world for her.

If your heart is really perplexed with her ignorance and ill manners, this can be rectified as well. Teach her some religious books. This will bring about, to some extent, some etiquette and manners in her because religious knowledge rectifies one's behaviour and brings about the fear of Allah Ta'ala. It also makes her aware of her husband's rights.

Even if she is really at fault, then too you should overlook it.

Exercising patience upon her harassment will elevate your status in the hereafter and bring about forbearance within your disposition. This forbearance is extremely beneficial to Deen and very rewarding. (Huqooqul Ba'yt pages 35,40, At-Tableegh volume 7 pages 57,138, Al-Qawlul Jaleel page 77)

A formula whereby the spouses will never contend with one another

Hadhrat Luqmaan Alayhis-Salaam - who was unanimously Hakeem (wise) and a Nabi according to some - was employed as a labourer in an orchard. One day, the owner of the orchard came and asked him to bring some cucumbers. He peeled one and gave it to Hadhrat Luqmaan Alayhis-Salaam who started eating it with relish. The owner, witnessing Hadhrat Luqmaan eating the cucumber with such relish thought that it must be rather delicious. He placed a slice of it into his mouth and on finding that it was extremely bitter, spat it out and frowned. "This cucumber is rather bitter," he addressed Hadhrat Luqmaan, "but you were eating it as though it was very delicious." Hadhrat Luqmaan said: "Yes, of course! it is bitter." "Why didn't you say so?" asked the master. He replied: "What can I say? I thought to myself that the hand from which I ate sweet things thousands of times, if the same hand gives me something bitter just once, how can I show it on my face?"
This is such a principle that if both spouses remember it, there will never be an opportunity for contention and dispute.
The wife should remember that the husband has put up with all her frivolities thousands of times, what is there if he is hard with me just this once? The husband on the other hand should also ponder over the thousands of times his wife had served him diligently. This is just an isolated incident which I am unhappy

with. The same subject is also dealt with by Allah Ta'ala in the Holy Quran (as explained at the beginning of the next chapter). [At-Tableegh volume 7 page 128]

Where there are many instances of ill manners found amongst our Indian women, there are also many virtues found within them. They should also be taken into consideration. Those virtues demand that you should be lenient and affectionate towards them. Don't overlook those virtues. Their most profound virtue is their service to you. She is always concerned about your comfort and well-being. If the person who has comforted you a hundred times torments you just once, don't even mention it before that person. (Huqooqul Ba'yt page 45)

An incident

Our Spiritual mentoraani Sahibah (the wife of Hadhrat Hajee Imdaadullah Saheb Rahmatullahi Alayhi) became very feeble and helpless during her last days. One of Hadhrat's servants went from here (India) to Makkah Muazzamah to attend to his household chores. This servant took the responsibility of running the affairs of the entire household. However, she was very harsh-mannered and hot-headed. She was always fighting with Peeraani Sahibah. On one occasion, my wife commented to Peeraani Saahibah: "This woman continues fighting with you but you don't tell her anything nor do you throw her out of the house?" She replied: "This woman grants me great comfort and ease as well. Not to exercise patience on the excesses committed by someone who also gives great comfort is unethical and an act of ingratitude. So whenever she harasses me, I think about all her comforts and I overlook and forgive her excesses."

She as a woman understood this. You are a man after all. You should employ your intellectual powers in whatever you do.

Think about all the comforts your wife has afforded you and exercise patience upon all her excesses. (Huqooqul-Ba'yt page 45)

CHAPTER 15

Intercession on behalf of ill-mannered wives and consolation for husbands bereaved by their wives' behaviour

Men should contemplate over the manner in which Allah Ta'ala intercedes on behalf of the women in the following verse:
"And associate with them (the women) in an amicable manner and if you dislike them (for any reason) then probably you dislike (just) one thing about them whereas Allah Ta'ala has placed an abundance of good in it."
Obviously this dislike a man harbours for a woman is fuelled by some reason or the other. The main reason for disliking women is their ill behaviour and this is quite tormenting to a man.
However, it is a sort of promise made by Allah Ta'ala that He will make the ill manners etc. of the women a source of abundant virtue and goodness. Allah Ta'ala is all-wise. He has the power to do everything. For instance, from this ill-mannered woman, a man may get children who will assist him in the hereafter. On the day of Qiyaamah (judgement), a person, due to his excessive sins, will be destined for Jahannam but one of his children who died in infancy or immaturity will intercede for him and say: "I will never go to Jannah until my father also goes into Jannah." Due to this child, the father will also be admitted into Jannah.
There is also abundant goodness in a woman's foul tongue or ill manners in a sense that a man exercises patience upon her tormenting utterances and the reward for patience is Jannah. And Jannah is obviously goodness in abundance. The harassment a person endures from his wife in this world is relatively negligible. It is only for a few days. The comforts he will enjoy in the hereafter as a form of recompensation will

definitely be much more because those comforts will be permanent (and her harassment was temporary). So there is an abundance of goodness in woman.
In such instances (where a man dislikes certain traits), he should keep the promise of Allah Ta'ala in mind and he should abstain from thinking about her ill manners (or her other faults). However, this in no way indicates that he should totally abstain from admonishing and advising her as well. You should endeavour to reform her, albeit with tenderness. At times, threatening her also is not inappropriate. However, do not harass and torment her. Excessive threatening is also not recommended. (At-Tableegh volume 7 page 130)

The virtues of exercising patience upon a woman's ill manners

Allah Ta'ala says: "If for any reason you dislike your wives, then most probably you dislike something whereas Allah Ta'ala has placed an abundance of good therein."
Some people may be under the notion that this goodness can only be confined to the presence or absence of children and nothing else. A woman's ill manners and temperamental nature normally generates hatred and dislike for her. So what goodness can there be in that?
In this also there is goodness for a man. By the husband exercising patience, his status in the hereafter is increased. Secondly, forbearance develops within his disposition. And patience and forbearance occupy the uppermost levels of good character. (Huqooqul-Ba'yt page 40)

Incident of Hadhrat Mirzaa Jaan Jaanaan *Rahimahullah*

Hadhrat Mirzaa Jaan Jaanaan's (Rahmatullahi Alayhi) wife was extremely ill mannered and he was extremely sensitive as evident from the following incident:

A very old lady Mureed of Hadhrat once sewed a quilt for him and brought it to him whilst Hadhrat was lying down. He asked her to throw it over him and go away. When he got up in the morning his eyes were very red. On enquiry by his servants, he complained of lack of sleep. "You were feeling very cold?" they asked. He replied," No, the quilt was sufficient to combat the cold but the stitches on the quilt were skew. As a result, I felt uneasy and I was unable to fall off to sleep."

Think about it! The stitches are not visible in the darkness of the night but he perceived the crooked stitching on the quilt. How sensitive he must have been to perceive, without looking, the crookedness of the stitching and this made him so restless that he was unable to sleep for the night. So Hadhrat was very sensitive but he was extremely patient with his ill mannered wife who used to let him have it verbally. Hadhrat used to bear all her utterances with patience and he never thought of divorcing her nor did he ever ill-treat her on his part. In fact he was so considerate of her that every morning he used to send his servant to enquire about her health etc. The servant would go and ask her on behalf of Mirzaa Saheb and she in reply would hurl abusive remarks about Hadhrat and openly abuse him. However, the servant used to return and merely inform Hadhrat that she is well.

One day according to his norm he sent his Pathaan servant - who hailed from the frontier region - to enqtuire about her health. He became extremely furious with her reply and returned to Hadhrat saying: "She verbally abuses you and vilifies your

character but yet you are so considerate towards her?"
He replied: "Don't take her abuses to heart. She is also your senior. I am very considerate of her because she is a very great benefactor of mine. All these spiritual achievements of mine you are witnessing are all due to her. (In other words, exercising patience upon her ill manners has brought me to this level of spiritual achievement.)
Allahu Akbar! What harrowing agony a sensitive man like him must have went through with such an ill-mannered wife. How sublime of him, though, to exercise patience and live with her. The Ahlullah (Saints of Allah) did not annoy even their enemies but alas, we can't even endure the torments of friends among whom the best of friends is the wife. We are unable to bear her nuisances. If you are unable to bear her harassment with the intention of reward in the hereafter, then endure it all thinking that this must be kaffaarah (expiation) for some sin or the other committed by me. (Huqooqul Ba'yt page 42)

Method of exercising patience upon an ill-mannered, ugly and slovenly woman

Think of it this way that I have perpetrated a sin and this woman is a sort of kaffaarah (expiation) for that sin. I heard about an incident involving a couple from Lucknow. The husband was a very saintly man whilst the wife was very ill-mannered. One day he shouted out at her: "You are really unlucky! You are living with me for so many years but yet you have not achieved any spiritual enlightenment." She retorted: "Why should I be unlucky? There is nobody more lucky than I am because I got a noble man like you. You are unlucky for getting a woman like me in your marriage."

Another incident

There is another similar incident mentioned of a man who was very handsome and pious whilst his wife was ugly and ill-mannered. The men of today would have divorced her in a matter of days but this husband was a pious servant of Allah Ta'ala. He exercised patience upon her behaviour. When asked why he wouldn't divorce her, he replied: "No, I would never divorce her. I probably committed some sin or the other. Allah Ta'ala has given me such a wife as a form of punishment for that sin. She, on the other hand, probably did some pious action for which Allah Ta'ala has rewarded her with a handsome man like me. I am her reward and she is my punishment. So why should I divorce her?

This was the manner in which the pious servants of Allah consoled their hearts. They did not separate their wives just because of their ill manners or unsuitable behaviour. They always exercised patience. So even if the wife is definitely at fault, then too you should overlook it and exercise patience. This forbearance is very beneficial for Deen and it entails tremendous rewards. (Huqooqul Ba'yt page 42)

Exercising patience upon an ugly woman

If a man is sexually inclined to a strange woman, he should, as a remedy shown by the Hadith, have intercourse with his own wife. The same Hadith portrays the reason for this remedy thus: "She (the wife) also has what she (the strange woman) has."

Maulana Muhammad Yaqoob Saheb Rahmatullahi Alayhi analysed this Hadith in a rather marvellous manner. They were personalities whose Uloom (religious knowledge) was not compiled. Hadhrat, in explanation of this Hadith, said: "All

usable items are divided into three categories; the first category comprises of things whose objective is merely the fulfilment of a need, pleasure is not the objective. For example, visiting the toilet.

The second category comprises of things whose objective is solely pleasure. For example; in spite of the absence of thirst, to consume a delicious and fragrant drink - as will be the case in Jannah.

The third category deals with things compounded with both aspects. In other words, pleasure and the fulfilment of a need, both are the objectives. This category again has two angles to it; one where the fulfilment of a need is predominant - as in the case of consuming food. The fulfilment of a need is dominant even though pleasure is also the objective. This is why the table, table-cloth, utensils etc. are all kept neat and tidy. However, this is not necessary. The second angle to this is the case where pleasure is predominant. For example, in sexual intercourse there is a fulfilment of need whereby excess spermatic fluid is released and also there is an angle of pleasure to it. However, the angle of pleasure is dominant.

So coming back to the Hadith, Rasulullah Sallallahu Alayhi Wasallam says that even though the angle of pleasure is dominant in intercourse but you should look at the other angle - where the objective is the fulfilment of a need. Once the objective is the fulfilment of a need then a strange woman and one's wife are the same in fulfilling this objective.

The main objective of an adulterer is pleasure. This is why if he has to sleep with all the women of the world except one, he will still want her as well thinking that the pleasure may be different with her. Hence, such a person is always living in anxiety and restlessness. This is unlike the person whose dominant objective is the fulfilment of a need. He will be at ease and remain within

the bounds. (Al Kalaamul-Hasan page 120)

Policy towards a woman fit to be divorced

There was a saint who was perpetually harassed by his wife. Even the masses learnt about the extent his wife used to torment him. Some suggested that he should rather divorce such a woman. He replied: "I have the ability to divorce her but think about the repercussions of this divorce. If she does not remarry, she would be in difficult straits and if she does remarry, then her Muslim husband would have to bear her hounding. It is better if I endure her harassment and save another Muslim from grief. Whilst I am alive, why should another Muslim be put to difficulty?"

Policy towards a disobedient and impinging wife

One should ponder over the fact that Allah Ta'ala has many rights over us and we are also guilty of encroaching upon those rights. Just as He forgives us, we should also forgive the faults of the other party. What will our condition be if Allah Ta'ala has to take us to task for all our sins? (Malfoozaat Jadeed Malfoozaat page 6)

Friends! Ponder over the fact that we are the subjects of Allah Ta'ala and yet He gives us grace. How much the servants disobey Allah Ta'ala but yet His conduct with them in reciprocation is remarkable; He still continues to provide their sustenance and He does not punish them immediately.

The reason for this is that Allah Ta'ala is quite aware that all these are His subjects. There is no other being apart from Him they can turn to. Whatever sins they commit are due to their stupidity and ignorance. This is why Allah Ta'ala takes them

into such great lengths of consideration. Our behaviour with those under us (like our wives, servants etc.) should also be the same. (At-Tableegh volume 7 page 59)

Expressing anger over the infertility of a woman

The husband should not be so harsh that he boils in fury over his wife's trivial mistakes. At times, his anger is centred over matters within her control. This is understandable. However, at times he becomes furious over matters that are beyond her control. This is rather deplorable of him. For example, some husbands tell their wives: "You unlucky women! You can't even get children." What can the poor lady do in such a case? The procurement of children is beyond her control. At times, even the kings don't get children in spite of taking aphrodisiacs and fertility drugs. Such matters lie solely in the control of Allah Ta'ala. This is no fault of the women. In fact, *you* should visit the doctor. He might find some problem with you instead of her.

Expressing anger over her deliverance of female children only

We have witnessed some men vilifying their wives for giving birth to female children only. Firstly, this is no fault of the poor lady and secondly there is nothing offensive about female children.

Friends! You do recall the incident of Hadhrat Khidar Alayhis-Salaam when he murdered a young boy. This murder was beneficial to the boy's parents. We learn from other narrations that following the death of this boy, Allah Ta'ala had blessed his parents with a daughter whose descendants comprised of many Ambiyaa Alayhimus-Salaam. So if you had

a son who turned out to be like the boy killed by Hadhrat Khidar Alayhis-Salaam, what would you do? It is through the wisdom of Allah Ta'ala that he has given you daughters upon daughters only. Girls generally don't bring disrepute to the family like boys normally do. Girls are more obedient to their parents also. Nowadays, the boys are so wayward that "Allah save us" - it is better not to have them.

As for the couple who has not been blessed with any children whatsoever - neither girls nor boys - this is better for them. Allah Ta'ala is quite aware of what is good for His servants. Today a person may be occupied with his Deeni devotions without any worry and concern simply because he has no children. Now if he happens to get children, who knows whether the freedom from care and anxiety will still remain or not? There are thousands of problems attached to children; one of them has an ear-ache, another has stomach-ache, one has fallen down, the other is lost and so forth. Their problems leave the parents perplexed and in constant worry. Probably this is why Allah Ta'ala did not bestow them with children - He wishes to keep them free from any concern and anxiety.

Undoubtedly, there are various types of grief and concerns attached to children. If they grow up to be pious, then well and good. However, this is very rare nowadays. If they are impious, then everyone is quite aware how tormenting they can be. Once they grow up, the parents are now concerned about getting them married. With great difficulty they marry but then again they are grieved over the lack of children. Employing Taweezes and other fertility drugs, the couple get children but by now the old man (i.e. the children's father) is so old that even his grandchildren have grown up. The same children or grandchildren (who he was pining for) mock at him and they are fed up of serving him. They verbally abuse and vilify him. The

poor old man is sitting helpless in one corner unable to do anything. (In the other corner of the house, contention between the mother-in-law and daughter-in-law has left the boy's mother depressed.) This is the (bitter) fruit of the children. Then why do people still pine for children when this is the position?
Childless couples should console themselves by looking at the people of the world. They should see the problems people are facing with their children.
If this does not console them, they should ponder over the fact that whatever Allah Ta'ala wishes is best for me and even if I do get children, who knows what their condition will be? If a person is unable to do this also, then he should at least realize that his wife is not at fault for them being childless. (Huqooqul-Bayt pages 35 - 38)

A few basic and beneficial Amaliyaat (taweezes) for the procurement of children

(1) Excessive recitation of 'Al Baariul Musawwir' will simplify the occurrence of miraculous wonders.
If the woman is barren, she should fast for seven days and break each fast with water. After breaking her fast, she should recite this (Al Baariul Musawwir) twenty one times. Insha Allah, she will fall pregnant.
(2) "Aw Kazulumaatin Fil Bahri......" [Surah Noor verse 40]
The aforementioned verse should be recited upon seven cloves. After taking a bath following purity from haidh (menses), she should take one clove daily. The clove should be taken at night without water. During these days, her husband should continue engaging in sexual intercourse with her.
(3) The following verse should be written with rose water and saffron upon the pellicle (membrane) of a deer's skin which

should thereafter be tied as a taweez around the infertile woman's neck. The verse is: "Walaw anna Quraanan Suyyirat......Bal Lillaahil Amru Jameea'a." [Surah Ra'd verse 31] {A'maale Quraani pages 69\70}

Preventing a miscarriage

(1) "Yaa Ayyuhan Naasut-Taqoo Rabakum....." [Surah Haj verse 1]
This verse is very beneficial in protecting the fetus. Recite this verse thrice after every Salaah. Thereafter make Duaa unto Allah Ta'ala.
(2) "Allahu Ya'lamu Maa Tahmilu......"[Surah Ra'd verse 8]
If there is a fear of miscarrying or there is a history of her suffering a miscarriage, the aforementioned verse should be written and placed upon her womb (taking care that no disrespect is shown to the verse). Insha Allah, the fetus will remain intact or if she is not conceiving, she will Insha Allah conceive soon. (A'maale Quraani page 70)

CHAPTER 16

ON DIVORCE

It is cruel to issue a divorce without intense compulsion

Some people don't restrain themselves whilst issuing a divorce. Trivial excuses are sufficient for them to blurt out Talaaq whereas this is not permitted except in dire circumstances. A Hadith warns: "Talaaq (divorce) in the eyes of Allah Ta'ala is the most disliked of all permitted things."
A verse of the holy Quran prohibits such a form of Talaaq: "If the women obey you, then do not seek excuses against them. (In other words, do not look for excuses to separate them.)
Issuing of divorce without any valid Shari reason leads to the perpetration of many sins, such as: 1. Foolishness of judgement, 2. Showing ingratitude towards the Ni'mat of Nikah, 3.Causing grief and harassment to the wife and her family, 4. Afflicting her children with grief, 5. Bringing shame and disrepute to the wife since people may cast doubts over her chastity and character. As a result, it would be very difficult for her to remarry. Ultimately, her entire life will be wrecked. (Islaahe-Inqilaab volume 2 page 163)

It is very sinful of her to unnecessarily ask for a divorce

Some women are also at fault for asking their husbands to divorce them over trivial matters. Stern warnings have been issued by the Ahadith in this regard. Rasulullah Sallallahu Alayhi Wasallam is reported to have said: "The woman who requests her husband to divorce her without any pressing need, the fragrance of Jannah is forbidden upon such a woman."

Tirmizi, Abu Dawood, Ahmad etc.)

Requesting divorce against another woman is also prohibited

Just as it is impermissible to request an unnecessary divorce for oneself, similarly it is not permissible to ask him to divorce another woman. For example, if a man, who already has one wife, requests her hand in marriage, she only agrees on condition he divorces the first wife beforehand. This has also been prohibited in the Hadith. The Hadith advises her to remain content with what has been allotted for her. It has been reported in a Hadith: "Don't ask (your husband) to divorce your sister (your co-wife) so that you may attain whatever is in the utensil entirely. (Islaahe-Inqilaab page 136)

It is sinful to issue a divorce whilst she is in Haidh or Nifaas

Quite often, people don't even think while issuing a divorce whether she is in her menses or whether intercourse had taken place in this period of purity (in between two periods). In fact, it is sinful to issue a divorce whilst she is in her menses or in such a period of purity wherein intercourse had taken place. Divorcing her in a state of Nifaas (period of bleeding following child-birth) is the same as divorcing her in her period of Haidh. (Shaami volume 2 page 290)

A very common error

Some ignorant people - either out of anger or jokingly - call their wives as 'divorcee'. (For example, they call out to her: O divorced lady.) They are under the false notion that divorce

uttered in such a manner does not take place. In fact even in such instances divorce does take place. (Islaahe-Inqilaab volume 2 page 165)

Talaaq in anger

At the time of anger, helplessness is no excuse. Even at the time of anger, a person is subject to the laws of Shariah. He is compelled by Shariah to control and curb his anger. Some ignorant people go to the extremes of issuing a divorce in anger and they don't even consider it binding. They claim that since they uttered the Talaaq in anger, it will not be considered.
Friends, open your ears and listen to this Shari rule. Leave aside anger, even a Talaaq uttered jokingly is considered binding. This is explicitly mentioned in the Hadith: "There are three things, whether they are uttered in seriousness or in jest. they will be binding....." One of the three is Talaaq. If one jokingly tells his wife that I have divorced you, the Talaaq will come about. If uttered once or twice, a revocable Talaaq (Rajie) comes about. In other words, he can revoke it and recall her within the period of Iddat if the marriage has been consummated. Once he recalls her, the Nikah still remains intact. However, once three Talaaqs has been issued, it becomes Talaaqe-Mughallazah (irrevocable divorce). Now there is no way he can recall her into the Nikah. The family is broken up. This is the Islamic ruling for issuing a divorce in jest and it will invariably apply to the divorce issued in anger. (Ghwaailul-Ghazab page 213)

Both spouses are at fault

Even the women should take heed to this ruling since it is a very common malady. Women are not very adept in reading other

people's moods. Many a times, when the husband is not in a good mood, she goes on arguing with him. She won't think of suppressing the contentious issue at hand. The whole issue then explodes beyond control until such time that the husband is fed up and he divorces her. There have been many instances of this nature. Thereafter, both of them regret what they did. Discord is not confined to their household alone, but both spouse's families are now at logger-heads with each other.

Some women are so foolish that no opportunity is spared in demanding a divorce from the husband. Men and women, both should take heed that the word divorce does not appear - neither in jest nor in anger - on their tongues. The word Talaaq can be likened to a loaded gun; the bullet is released whether you pull the trigger intentionally or playfully. Even if the trigger is pulled in anger, then too the bullet is released. Losing control in anger is not entertained as a valid excuse, neither religiously nor judiciously.

Control your anger and learn how to suppress it. The teachings of the Shariah are not futile. They are there for your own benefit. (Ghawaailul-Ghazab page 213)

If the marriage has irrevocably broken down, Talaaq is the best option

At times, the issuing of Talaaq is Wajib

Some people feel ashamed to issue Talaaq irrespective of the urgency and wisdom behind issuing it. Even if the spouses are unable to live amicably with each other - resulting in the encroachment of each other's rights - or even if the wife is so irreligious that the husband is unable to reform her, then too some men are adamant and refuse to divorce their wives.

If the wife is a tormentor or she is totally negligent of her Salaah, the Fuqahaa (jurists) have considered it Mustahab (preferable) to divorce her. And if the man is unable to fulfil her rights, they have considered it Wajib upon him to issue a divorce. (However, if she waives her rights, it is not Wajib to issue a divorce.) [Islaahe-Inqilaab volume 2 page 155]

Nonetheless, considering it to be contrary to family nobility, many people are not prepared to issue a divorce. He thereby renders his or his wife's entire life bitter and acrimonious.

When the occasion demands, it is permissible to issue a divorce without any form of Shari detestability even though Talaaq is the most detestable of all permissible things. At times, Talaaq is either Mustahab (preferable) or Wajib (compulsory). Hence, it is not possible for something to be Mustahab or compulsory and detestable at the same time. (Therefore, even Talaaq is not detestable at times.)

The holy Quran says: "There is no harm upon you if you divorce the women (when the occasion demands).

According to a narration by Razeen, Rasulullah Sallallahu Alayhi Wasallam wanted to divorce Hadhrat Sawdaa Radhiallahu Anhaa but refrained from doing so when she requested him to keep her. (Mishkaat)

Many incidents of divorce amongst the Sahaabah have also been narrated. (Raddul-Muhtaar)

Hence, Talaaq cannot be detestable without any exception. There are certain occasions when Talaaq is not detestable. Undoubtedly, it will be detestable when there is no pressing need for it. (Shaami) [Islaahe-Inqilaab volume 2 page 160]

The limits of Talaaq

Some people, after learning of the Mas'alah that the Nikah

remains intact after revoking the Talaaq, are under the false impression that revoking the divorce is limitlessly permitted regardless of the number of times Talaaq has been issued. They should understand well that this is not the case.

The issuing of Talaaq is confined to three Talaaqs only whether these were issued collectively or individually or whether revocation intervenes or not. If a person issues one Talaaq and thereafter revokes it (by taking her back into his marriage), this revocation is in order because only one Talaaq has been issued. If he again issues a revokable divorce and thereafter revokes it, then too his revocation is in order because this revocation appears after only two Talaaqs. This will now be considered as two Talaaqs because the first Talaaq will also be counted with the second Talaaq even though he had revoked the first Talaaq. Once a Talaaq is revoked, its effects only vanish but its reality remains. (Hence, the second will be considered with the first and a total of two Talaaqs will be considered as issued.) Thereafter, if he issues a third Talaaq, he cannot revoke it and she cannot return to him because according to the aforementioned rule, this revocation appears after three Talaaqs and revocation after three Talaaqs is not in order.

Similarly, if he fails to revoke the Talaaq after issuing one or two Talaaqs until such time that her Iddat has passed (three menstrual cycles), then too the Nikah has terminated. If they willingly remarry thereafter and he again issues a Talaaq, then this Talaaq will be counted together with the first. If again he issues a Talaaq, it will be considered as three Talaaqs. Thereafter, he will be unable to revoke it.

Note: The two Talaaqs mentioned above refer to Talaaqe-Raji not Talaaqe-Baain.

It is prohibited to issue three Talaaqs collectively

It is a very common malady nowadays that when people issue talaaq they issue three Talaaqs collectively or issue more than three Talaaqs. It is sinful and prohibited to issue talaaq in such a manner.

Apart from the sin this involves, such a divorce is also imprudent. After issuing a divorce, quite often a person regrets his action and he may remedy the situation if one or two revokable Talaaqs were issued. If Talaaqe-Baain was issued, he is unable to revoke it but he may remarry her with her consent - within her Iddat or out of it. However, if he has issued three Talaaqs - regardless of how he has issued them - then there is no way he can remedy the situation even if both parties agree except if a third person makes Halaalah. (If another man marries her and divorces her after consummation of the marriage, she may remarry her first husband after her Iddat. This is referred to as Halaalah; it is as though the second person is rendering her Halaal (lawful) for her previous husband. Hence the word 'Halaalah.)

Even if Halaalah is made, then too it is doubtful whether the situation can be rectified or not (because the second husband may or may not divorce her.) If the second person marries her on condition that he will divorce her after intercourse, then, in the words of the Hadith, both of them are cursed - the person who is making Halaalah and the person in whose favour Halaalah is being made. The Fuqahaa (jurists) have considered this to be Makruh-Tahrimi (close to Haraam). [Raddul-Muhtaar]

Even after subjecting the second husband to a condition of divorce, he is not compelled to issue a divorce. It is left entirely upto him. The first husband and wife have no option in this regard. So these are the detriments of issuing three Talaaqs

collectively. (Islaahe-Inqilaab volume 2 page 164)

Three Talaaqs render the wife like a stranger

Many people, overcome with furious rage, issue three Talaaqs collectively. Thereafter, to save face, they endeavour to suppress their folly. Many of them, in spite of issuing three Talaaqs, keep their divorced wives as normal wives under the notion that releasing them entails disgrace and disrepute. Alas! Is there no disgrace in committing adultery? Obviously this is more disgraceful in this world itself whilst the disgrace and punishment of the hereafter is much more intense. Those amongst them who are irreligious and fearless, have no scruples about Haraam and Halaal. Hence they continue living in sin. If the woman is also like this, then it is though they have established a workshop for sin in which illegitimate children are produced. However, if the woman is fearful of Allah Ta'ala due to which she excuses herself, she is beaten and oppressed. This action now entails a twofold sin; adultery as well as oppression. Nonetheless, it is wajib upon the woman to abstain from him as far as possible and until there is no threat of serious injury, she should not succumb to his sexual demands.

Some people who claim to be religiously inclined employ some strategy or the other whether the strategy is valid or not. For example, they probably heard a modern Mujtahid claiming that the issuing of three Talaaqs collectively is only counted as one. Hence, according to them, revocation of the Talaaq or renewal of the marriage without Halaalah is permitted. They accept this opinion claiming that after all the person who issued this Fatwa is also an Aalim (learned scholar). They claim that it is permissible to practice upon this opinion whereas it has already been established that this opinion is totally incorrect and it is

prohibited to practice upon it. (Raddul-Muhtaar volume 2 page 688)
This is the condition of the so-called religious people. As for the ignorant, they grapple with the Ulama employing unwitting methods to justify their claims. They say that they had no intention of issuing Talaaq whereas intention is not conditional for an explicit divorce. Some claim that Talaaq was blurted out of anger and not cheerfully whereas Talaaq generally occurs in anger. (In other words, people generally issue Talaaq out of anger and not because they are cheerful.) [Islaahe-Inqilaab volume 2 page 161]

Condition of some aristocrats

Some noblemen conclude that in such cases (where three Talaaqs have been issued), the spouses should not stay as husband and wife but the (divorced) wife should be kept within the home and provided with maintenance. This is done to avoid the disrepute of Talaaq and also to ensure that there is no need for her to remarry. (In some instances, the women themselves request for such an arrangement.)
There are very many evils attached to this system. For example, the fact that both of them are going to live in one house is sure to provide an opportunity some time or the other where both of them will be all alone. Hence, the evil of being alone with a strange woman is posed. This is Haraam. This is further compounded by the fact that since both of them have lived informally for some time, there is a greater chance of them both falling into evil compared to other women.
Another evil is that the husband is compelled to provide maintenance for his (divorced) wife throughout his entire life whilst the wife is prevented from remarrying. And both these

evils, in the light of the Shariah, are contemptible. (Islaahe-Inqilaab volume 2 page 161)

An important Fatwa

Issuing Talaaq at the behest of the parents

If the parents ask their son to divorce his wife without any valid reason, he is not compelled to obey them in this regard. As for the Hadith which makes mention of obeying them in this regard, it will be ascribed to desirability or a valid reason. (In other words, it will be preferable to divorce her or he should divorce her if there is a valid reason.)
Similarly, if they demand that your entire earnings be handed over to them, then too you are not compelled to obey them. If they force you, they will be sinful. If they take anything more than they need without your permission, it will be considered as a debt. Request for repayment can be made in this world. If they fail to reimburse you in this world, they will be compelled to do so in the hereafter. (Imdaadul-Fataawa volume 4 page 485)

Question: In order to prevent myself falling into sin, I, of my own accord, married a woman I am deeply in love with. However, my father insists I divorce this woman and marry someone else. Should I divorce her or not?
Answer: Do not divorce her if you fear that either you or your wife will not be able to exercise patience (without each other). [Imdaadul-Fataawaa volume 2 page 467]

A few masa'ail on Talaaq and Iddat

(1) There are three types of Talaaq; Raj'ie, Baa'in and

Mughallaz. In Talaaqe Raj'ie, the husband may revoke the Talaaq and recall her within the Iddat period. She is not permitted to marry anyone else within her Iddat period. If the husband failed to revoke the Talaaq within the Iddat period, his Nikah with her has terminated. She may marry another man after this period. In Talaaqe Mughallaz, he is unable to revoke the Talaaq. However, she is not permitted to marry another man within her iddat period. She may do so after her Iddat.

(2) The details regarding Iddat are as follows: if the woman has not been to her husband as yet (in other words, the marriage has not been consummated as yet), and then he issues Talaaq, Iddat is not Wajib upon her. If the marriage has been consummated and then he divorces her, her Iddat is three (lunar) months if she is a minor who does not menstruate or if she has reached menopause. However, if she does menstruate, her iddat is a period of three menstrual cycles. If she is pregnant, her Iddat terminates upon delivery of her child.

In the case where the husband dies, her Iddat is four months and ten days. However, if she is pregnant, then in this case as well, her Iddat terminates upon delivery of the child.

A second marriage (to another man) within the Iddat period is not permitted. She may marry only after the termination of her Iddat.

The same conditions of Iddat will apply to a non-Muslim woman who converts to Islam whilst her husband remains a non-Muslim. Iddat is Wajib upon her as well. She is not permitted to remarry until the termination of three menstrual cycles or the termination of pregnancy. Many people are not very circumspect in this regard. (Islaahur-Rusoom page 97)

CHAPTER 17

ANNULMENT AND SEPARATION

The need for a Shari judge in certain cases of annulment

There are many instances (in the annulment of marriages etc.) where the judgement of a Muslim ruler (or Muslim judge in an Islamic court) is conditional. This is referred to Qadhaaul-Qaadhi (judicial ruling) in Islamic terminology. Some of these cases are in regard to:

(1) The wife of an impotent man.

(2) The wife of an insane man.

(3) The wife of a lost man.

(4) The wife of a man who refuses to maintain her or fulfil her conjugal rights.

(5) The wife of a man whose whereabouts are known but he refuses to call her to stay with him or he refuses to provide maintenance.

In all the aforementioned cases, the Islamic judicial ruling of a Muslim judge is conditional. In other words, the wife or her guardians are not at liberty to make their own decisions in these matters. They should lodge a case at the court of the Muslim judge. The judge will pass judgement according to Shari principles only after probing into the case. Without this, annulment or separation cannot be realized in the aforementioned masaail. (Al-Heelatun Naajiza page 41)

Annulment of marriages in our present circumstances

In our present circumstances here in India, since there is generally no Shari judge in most places, other available avenues

will first be mentioned in regards to such Masaail.

(1) In areas where a Shari judge is present, there is no problem. It is a simple matter.

(2) In areas where there is no Shari judge but there is some form of administration of justice, like a judge, magistrate etc. they do have the authority from the government to pass judgement in such matters. If such people are Muslims, then their ruling and judgement will serve in place of Qadhaae-Qadhi (ruling of a Muslim court) - as inferred from the text of Shaami.

However, if the judgement is passed by a non-Muslim judge, it will definitely not be considered. His judgement in annulment of marriages etc. will not be binding because a non-Muslim is not fit to pass judicial verdicts against a Muslim. In fact, even if the proceedings of the case are prepared by a non-Muslim and judgement is passed by a Muslim judge or vice-versa, then too his judgement will not be implemented. (Al-Heelatun Naajizah page 45)

If judgement is left in the hands of another group or committee - like in the case where the rendering of a verdict is left to a panel of judges, or to a committee of legal experts etc. - then in this case, it is conditional for every member to be a Muslim. If the judge, magistrate or any member of this group is a non-Muslim, the verdict of this group is not acceptable. Annulment on the grounds of such judgements will definitely be incorrect. (Al-Heelatun Naajizah page 45)

Appointing a Muslim judge

The judgement of a Muslim judge is conditional in many Shari Masaail (propositions) which is referred to as Qadhaaul-Qaadhi (legal verdict) in Shari terminology. According to Kitaabul Qadhaa, one of the conditions of this judge is that he be a

Muslim even though he is appointed by non-Muslim rulers. This is explicitly mentioned in Durre-Mukhtaar and Raddul-Mukhtaar. For example, in order to annul the marriage of a lady whose husband's whereabouts are unknown or to annul the marriage of a girl who was married before maturity and wishes to exercise her right of annulment etc. There are many other Masaail of this nature where a legal verdict is required.

So the ruling body in every administrative district or province should be requested to appoint - with the counsel of the Ulama - a pious and learned Aalim who will listen to such cases.

If this can be achieved, it will really simplify matters for the Muslims or else they will be left in constrained circumstances. For example, I once issued a Fatwa regarding the wife of a man whose whereabouts were unknown that once the period of waiting passes according to Imam Malik Rahmatullahi Alayhi, the people of that locality should request the local authorities to appoint an Aalim for listening to this case. This Aalim should thereafter pass judgement and declare: "According to me, the person whose whereabouts are unknown has died." Following this verdict, the woman should sit in Iddate-Wafaat (four months and ten days) and remarry if she desires. The people of this locality did as suggested but the local authority responded by saying that they do not wish to interfere with the religious affairs of the Muslims. So, look how difficult it becomes.

In some cases, there is apparently no difficulty but there is some Shari problem. For example, in a case where a girl was married before puberty and she wishes to exercise her right of annulment once she reaches puberty. If a non-Muslim judge annuls the marriage and permits her to remarry, then apparently legal proceedings will follow but from a Shari viewpoint, these proceedings are not acceptable. Her first marriage will not be annulled and her second marriage will not be valid. Hence, both

spouses will now be guilty of illegitimate intercourse throughout their lives. Therefore, such cases render the appointment of a Muslim judge extremely necessary. These are cases which deal with Haraam and Halaal (prohibited and lawful). Its need is felt for by the entire community at large. Hence, due consideration to this matter entails Thawaab as well.
The most simple method of (getting a Muslim judge appointed solely for such cases) is that the men of letters should get together and draft a letter to the relevant authorities explaining the need for such a system. This letter should then be signed by as many people as possible and presented to the government for approval. Hopefully, the government will look into the matter. (Bawaadirun-Nawaadir volume 1 page 45)

Annulment of a marriage in today's times

If such a situation (of annulment) does arise in today's times, file a suit with a Muslim governor (judge, magistrate etc.) who has such powers even though he may be appointed by the non-Muslims. If he does not have such authority of annulment, request for it from the government even if it means just for this one case. Once he acquires the authority and annuls the marriage, the Nikah will be considered annulled from a Shari viewpoint. In areas where there is a Muslim judge, his annulment will suffice.
In short, the Nikah will only be considered annulled if the annulment is executed under the authority of a ruler by a Muslim judge. Nothing will be legally considered merely by the father (or anyone else) saying that he is not satisfied with the Nikah. (Huqooquz-Zawjayn page 380)

Question: In cases where the legal judgement of a Shari judge

is conditional, will the judgement of an English court be considered in the same light?

Answer: If the judge is a Muslim, he is considered as a Shari judge. (Imdaadul-Fataawaa volume 3 page 434)

Policy to be adopted in the absence of a Shari judge

(1) Council of arbitration

In places where there is no Muslim ruler, or there is no authority to submit the case to the court of a Muslim judge, or the Muslim ruler (or judge) does not pass judgement according to Islamic law, then in this case, as far as possible, Talaaq should be sought by Khula' (by giving the husband a sum of money etc.). However, if Khula' is not possible due to the adamant behaviour of the husband or due to the insanity or unknown whereabouts of the husband, there is scope, according to the Maaliki school of thought, of presenting the case to a council of pious Muslims. According to the Maaliki school of thought, in the absence of a Shari judge, it is permissible for the pious Muslims of the locality to form a council of at least three members. This council should probe the case at hand and pass judgement according to Shariah. This will sufficiently serve as Qadhaaul-Qaadhi (legal verdict handed down by a judge).

In cases of extreme necessity and common urgency, it is permissible according to the Hanafi school of thought to pass a fatwa according to another school of thought. However, the ordinary laymen are not permitted to do so as and when they please until and unless a number of learned and pious Ulama investigate the urgency of the matter and pass fatwa accordingly. Urgency will only be considered as such by the

Ulama of insight. (Al-Heelatun Naajizah)

Important points regarding the formation of a council of arbitration

(1) According to the Fataawa of the Maalikiyah, the members of the council of arbitration should comprise of Udool (singular - Adl) Muslims. Adl is referred to as a person who is not a Faasiq (flagrant violator of Islamic law). In other words, he abstains from major sins and he is not persistent upon minor sins. If he does commit a sin, he repents immediately.
Hence, a person who accepts bribery or interest, shaves his beard, speaks lies, is not regular with his Salaah or Saum etc. cannot become a member of this council.
This Mas'alah (proposition) was virtually borrowed from the Maaliki school of thought. Hence, all conditions attached to it according to their school should be applied here as well. According to them, it is a precondition for the Qaadhi (judge) to be Aadil (upright). Therefore, a non-aadil's judgement will not be instituted.
According to the Hanafi school of thought, although it is not a precondition for the Qaadhi to be Aadil, it is, nevertheless, Haraam to acquire judgement from a non-aadil. Hence, even according to the Hanafies, it is not permissible to appoint a non-aadil as a member of the arbitration council. In short, it is imperative to ensure that the council comprises of Deeni inclined and pious members. (Al-Heelatun Naajizah)

(2) Laymen's council of arbitration is unacceptable

If judgement is handed over to a council of ordinary laymen, it

will not be acceptable. There is a great possibility of them failing to adhere to Shari requirements. Hence, ensure that all the members of the arbitration council are Ulama. If this is not possible, then at least ensure that there is one well-acquainted Aalim amongst the members. Seek his counsel for the case at hand from the beginning to the end.
If an Aalim is not available, then the judgement handed down by this council is not acceptable. However, the proceedings of the entire case may be shown to well-acquainted Ulama. Every angle of the case should be presented to them for their perusal. Thereafter, the council may pass judgement according to the Fatwa of the Ulama. If the council of laymen fail to carry out even such a procedure, and pass judgement according to their own whims and fancies, their judgement will not be accepted even if their judgement proves to be incidentally correct as mentioned by the jurists of the Maaliki school of thought. (Al-Heelatun Naajizah)

In the absence of the influential pious

In the unfortunate event of the influential people being irreligious, then the influential people should grant authority to a few pious people so that, in Shari terms, the judgement can be attributed to this group of pious people. The membership of the influential is not necessary but their influence simplifies matters. In this manner, the objective will be achieved and the influential will also be rewarded. (Al-Heelatun Naajizah)

The Shari ruling of the council of arbitration

(3) If the council of arbitration - whose mention was made

above - unanimously annuls the marriage, it will serve in place of the judgement of a Qaadhi (judge). Hence, its annulment will be considered valid. However, if the members of the council differ on any given issue, the annulment will be considered invalid. If anyone does pass any judgement, it will be considered as non-existent. The only judgement considered valid is the one handed down unanimously by all council members. Even the opinion of the majority is not considered, simply because majority is not regarded as a Shari proof and no judgement can be established without Shari proof. (Al-Heelatun Naajizah)

A woman may appeal against the judgement passed by the arbitration council

Nevertheless, a woman has the right to request the council to review the judgement handed down. After reviewing the case, if the council does come across any angle which corroborates her request of annulment and it thereafter unanimously re-passes judgement in her favour, then this annulment will be considered valid. However, if the proceedings of the case are invariably the same as before, nothing new has come to light, then annulment will not be considered. (Al-Heelatun Naajizah page 53)

Ruling of a Muta'annit's wife

(Muta'annit - literally a stubborn or obstinate person.)
In Shari terminology, a Muta'annit is referred to as a man who, despite the ability, refuses to provide maintenance to his wife. In dire circumstances, the ruling in this case also has been taken from the Maaliki Mazhab to release the oppressed women from the clutches of oppression.

The wife of the Muta'annit should firstly endeavour to free herself by making Khula' with her husband. However, if there is no other avenue, then due to pressing need, there is scope to practise upon the Maaliki Mazhab. According to their school of thought, the wife of a Muta'annit does have the right of annulment as well.

The method of annulment is as follows: she should lodge her case before a Muslim ruler or Muslim judge. In their absence, she may lodge her case before a Muslim council of arbiters. Whoever has been handed the case will probe into the case employing Shari methods of testimony etc. If the woman's claims - regarding her husband who despite the ability fails to maintain her - proves to be true, then the husband will be ordered either to fulfil her rights or to grant her a divorce or to face annulment of his marriage. If the cruel husband fails to respond favourably then the judge or the council charged with his responsibilities should annul the marriage. There is no need to wait or to grant respite in this case.

Within the Iddat period, if the obstinate (Muta'annit) husband repents from his evil (and decides to fulfil her rights), the wife is compelled to go and live with him as his wife whether she is willing or not. This law applies simply because the consent of the wife is not conditional in the case of Talaaqe-Rajie (revocable divorce). However, as a precautionary measure, it is advisable to renew the Nikah (marriage). If the Iddat period has already passed without the husband repenting, he has no authority left over her. However, the Nikah may be renewed if both parties willingly consent to a renewal. (Halaalah is not required.) [Al-Heelatun Naajizah page 82]

Disability to provide maintenance does not justify annulment

Some women are rather erroneous in requesting annulment even over the negligible financial straits of the husband. Remember, according to some Ulama, the judge is permitted to annul the marriage in cases of extreme poverty. Nonetheless, we don't have a Shari judge and annulment without a Shari judge is not permitted according to all the Ulama.

Secondly, according to our Mazhab, even if there is a Shari judge, he is not permitted to annul the marriage on these grounds. In cases where the husband is destitute and unable to provide for his wife, the judge will order her to take a loan and spend when necessary. Repayment of this loan will be the responsibility of the husband. (Islaahe-Inqilaab volume 2 page 183)

Shari ruling of a husband who neither calls his wife to live with him nor provides maintenance

Question: What is the ruling in the case where the husband is absent but his whereabouts are known. He neither comes to his wife nor does he call her to him. He neither provides maintenance for her nor does he grant her Talaaq. The wife is distressed and perturbed. Is there any way where she can separate herself from this man and legally remarry someone else?

Answer: The woman in question may resort to Khula' (pay a certain amount of money to her husband and free herself). If the husband is not willing to accept, then she may, in extreme circumstances, resort to the following procedure laid down by the Maaliki Mazhab:

She should first lodge a complain with the judge (or his deputy). She should establish her marriage by utilising witnesses etc. Thereafter she should establish that her husband has left her without providing any sort of maintenance nor did he make any arrangements for its provision. She should also say that she has not forgiven the maintenance. In other words, she should establish the compulsion of maintenance as well as her claim that her husband is deficient in the execution of this compulsion. She should also swear an oath upon all these claims.

Thereafter, if a relative or stranger shoulders the responsibility of her maintenance, then well and good. Otherwise, the judge will order the husband to either come and fulfil her rights over here or to call her over to him or to make some arrangements for her or to issue a Talaaq. In the event of failing to comply with any of the above, the judge will threaten him with annulment. If the husband does not comply with any of the above, the judge will grant him respite of another month and request the wife to hold on for a further month. If her problem is not sorted out after this period, the judge will annul her marriage.

Obviously, a request by the wife for annulment is conditional. Hence, if the wife abandons her request after her husband's reply to this court order, annulment will not be instituted. (Al-Heelatun Naajizah page 84)

Cautionary note

The summons issued by the judge (or council of arbitration) and sent by post to this obstinate man will not suffice legally. Written judgement should be handed over to two reliable men and they should be made cognizant of its contents. This judgement should be taken by these two men to the obstinate man and solicit a reply from him. Whatever his answer - verbal

or written, negative or positive - should be promptly recorded so that they may give testimony upon their return. Even if he fails to reply, they should give testimony accordingly. In short, the judge (or the Muslim council of arbitration) should pass judgement in consideration of their testimony. However, if the obstinate husband lives in such a far off land that in spite of laborious endeavour, it is not possible to send someone to him, then there is scope in this case for the ruler (or judge, or the council of arbitration) to annul the marriage following a probe into the case according to the aforementioned rules. (Al-Heelatun Naajizah page 84)